

**FRIDAY, MAY 5, 2017**

**THIRTY-FIFTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Rep. Lamberth.

Representative Lamberth led the House in the Pledge of Allegiance to the Flag.

The hour of 9:00 a.m. having arrived, which had been set for the House to reconvene, a quorum of the House was not detected.

**MOTION TO CONVENE PASSED**

Representative Williams, pursuant to the House rules, moved that the House convene on Friday, May 5, 2017, at 10:00 a.m. The motion by Representative Williams was properly seconded. Without objection, the motion to convene on Friday, May 5, 2017, at 10:00 a.m. prevailed.

**FRIDAY, MAY 5, 2017**

**THIRTY-FIFTH LEGISLATIVE DAY**

The House met at 10:00 a.m. and was called to order by Madam Speaker Harwell.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 85

Representatives present were Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Stewart, Swann, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 85

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Windle; active military duty

Representative Beck; personal

Representative Moody; personal

Representative Ragan; personal

Representative Terry; personal

Representative Howell

Representative Favors; business

Representative Powers; illness

Representative Pitts; personal

Representative K. Brooks; personal

**PRESENT IN CHAMBER**

Rep. Staples was recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 522** Rep. Calfee as prime sponsor.

**House Joint Resolution No. 524** Rep. Clemmons as prime sponsor.

**House Joint Resolution No. 531** Rep. Pody as prime sponsor.

**House Joint Resolution No. 532** Rep. Pody as prime sponsor.

**House Joint Resolution No. 533** Rep. Pody as prime sponsor.

**House Joint Resolution No. 534** Rep. Pody as prime sponsor.

**House Joint Resolution No. 535** Rep. Pody as prime sponsor.

**House Joint Resolution No. 536** Rep. Pody as prime sponsor.

**House Joint Resolution No. 537** Rep. Pody as prime sponsor.

**House Bill No. 103** Rep. Butt as prime sponsor.

**House Bill No. 381** Reps. Daniel, Gant, Reedy, Shaw, M. White, Powell, Mitchell, Staples, Hardaway, Kane, Zachary and Jernigan as prime sponsors.

**House Bill No. 415** Reps. M. White, Hardaway, Staples, Crawford and Gilmore as prime sponsors.

**House Bill No. 441** Reps. Hardaway, Mitchell, Powell, Marsh, Kane, Sherrell, Ramsey, Gant, Zachary, Curcio, Clemmons and M. White as prime sponsors.

**House Bill No. 1097** Rep. Byrd as prime sponsor.

**House Bill No. 1126** Reps. Hardaway, Akbari and Lamberth as prime sponsors.

**MESSAGE FROM THE SENATE  
May 5, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 449; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 449** -- Memorials, Death - Kathleen Starnes. by \*Dickerson, \*Beavers, \*Bowling, \*Crowe, \*Gardenhire, \*Haile, \*Jackson, \*Johnson, \*Kelsey, \*Roberts, \*Southerland, \*Stevens, \*Tracy, \*Watson, \*Yager, \*McNally.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for May 8, 2017:

**House Resolution No. 167** -- Memorials, Death - Judge Duane Sidney Snodgrass. by \*Hulsey.

**House Joint Resolution No. 559** -- Memorials, Recognition - Discovery Center, 30th anniversary. by \*White D, \*Terry, \*Rudd, \*Sparks.

**House Joint Resolution No. 560** -- Memorials, Recognition - Morristown First Presbyterian Church, 150th anniversary. by \*Goins.

**House Joint Resolution No. 561** -- Memorials, Professional Achievement - Jack Lowery, President of Tennessee Road Builders Association. by \*Lynn.

**House Joint Resolution No. 562** -- Memorials, Recognition - Plaza Mariachi Music City, Grand Opening. by \*Powell.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution listed was noted as being placed on the Consent Calendar for May 8, 2017:

**Senate Joint Resolution No. 449** -- Memorials, Death - Kathleen Starnes. by \*Dickerson, \*Beavers, \*Bowling, \*Crowe, \*Gardenhire, \*Haile, \*Jackson, \*Johnson, \*Kelsey, \*Roberts, \*Southerland, \*Stevens, \*Tracy, \*Watson, \*Yager, \*McNally.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1454** -- Hornsby - Subject to local approval, reduces board of mayor and aldermen from seven to five members; deletes all references to town marshal; reduces the number of readings to approve an ordinance from three to two; abolishes the position of treasurer and transfers responsibilities to the recorder; expands authority of the board of mayor and aldermen. - Amends Chapter 112 of the Private Acts of 1920; as amended. by \*Shaw.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 409** -- Taxes, Sales - As introduced, requires certification of special census results for a municipality with regard to distribution of sales tax funds be sent to the commissioner of revenue in addition to the commissioner of finance and administration. - Amends TCA Title 67, Chapter 4 and Title 67, Chapter 6. by \*Overbey, \*Norris, \*Southerland. (HB494 by \*Carr )

**\*Senate Bill No. 438** -- Business Organizations - As introduced, enacts the "Tennessee Uniform Limited Partnership Act of 2017." - Amends TCA Title 61. by \*Johnson, \*Stevens. (HB484 by \*Travis)

**\*Senate Bill No. 720** -- Lottery, Scholarships and Programs - As introduced, creates the Tennessee middle college scholarship, funded by net lottery proceeds. - Amends TCA Title 49, Chapter 4. by \*Yager, \*McNally, \*Bailey, \*Bowling, \*Gresham, \*Haile, \*Jackson, \*Massey, \*Norris, \*Overbey, \*Stevens, \*Yarbro. (HB980 by \*Travis, \*Calfee)

**Senate Bill No. 726** -- Uniform Commercial Code - As introduced, creates a streamlined process for certain public officials to contest Uniform Commercial Code financing statements that they believe to lack any legal basis. - Amends TCA Title 47, Chapter 9, Part 5. by \*Kelsey. (\*HB535 by \*Lamberth, \*Powers, \*Towns, \*Sargent)

**\*Senate Bill No. 969** -- Taxes - As introduced, increases from 10 to 12 the number of days following any adverse action related to a license or other privilege that the licensee must file a written request for a hearing before the commissioner to contest the action. - Amends TCA Title 67. by \*Overbey. (HB1075 by \*Sexton C, \*Sexton J)

**Senate Bill No. 1184** -- Eminent Domain - As introduced, requires property taken under eminent domain to be valued at highest and best use instead of fair market value; removes industrial park exception to public use requirement; requires costs of appraisal to always be taxed to the condemning body. - Amends TCA Title 7, Chapter 55; Title 13; Title 29, Chapter 17 and Title 29, Chapter 16. by \*Niceley, \*Bowling, \*Gresham. (\*HB1167 by \*Forgety, \*Farmer)

**Senate Bill No. 1348** -- Highways, Roads and Bridges - As introduced, requires any local agency transferring up to 50 percent of its state-aid road funds to assist in any bridge improvements to notify the department of transportation at least 30 days in advance of the transfer. - Amends TCA Title 4; Title 8; Title 9; Title 54; Title 55 and Title 67. by \*Bailey, \*Norris. (\*HB1352 by \*Sexton C)

### **CONSENT CALENDAR**

**House Resolution No. 143** -- Memorials, Academic Achievement - Camerin Morganfield, Valedictorian, East High School. by \*Hardaway.

**House Resolution No. 144** -- Memorials, Academic Achievement - Leonica Clear, Valedictorian, Melrose High School. by \*Hardaway.

**House Resolution No. 145** -- Memorials, Academic Achievement - JerMeiah Clay, Salutatorian, East High School. by \*Hardaway.

**House Resolution No. 146** -- Memorials, Academic Achievement - Markila Tate, Salutatorian, Melrose High School. by \*Hardaway.

**House Resolution No. 147** -- Memorials, Academic Achievement - Vivica Martin, Valedictorian, Memphis Academy of Health Sciences. by \*Hardaway.

**House Resolution No. 148** -- Memorials, Academic Achievement - Angela Taylor, Salutatorian, Memphis Academy of Health Sciences. by \*Hardaway.

**House Resolution No. 149** -- Memorials, Interns - Kennedy Loveday. by \*Dunn, \*Smith.

**House Resolution No. 150** -- Memorials, Interns - Anna Johnson. by \*Dunn.

**House Resolution No. 151** -- Memorials, Interns - Robert Dillion Estes. by \*Jernigan.

**House Resolution No. 152** -- Memorials, Recognition - Robert Coffey, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 153** -- Memorials, Recognition - Harlan Savery, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 154** -- Memorials, Recognition - Johnson County Middle School Robotics Team 3075B. by \*Hill T.

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**House Resolution No. 155** -- Memorials, Recognition - Matthew Peake, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 156** -- Memorials, Recognition - Lauren Paterson, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 157** -- Memorials, Recognition - Hunter Graybeal, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 158** -- Memorials, Recognition - Dillon Trivette, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 159** -- Memorials, Recognition - Isaac Brown, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 160** -- Memorials, Recognition - Lane Sentell, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 161** -- Memorials, Recognition - Terri Henson, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 162** -- Memorials, Recognition - David Quave, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 163** -- Memorials, Recognition - Susan Quave, Johnson County Middle School Robotics Team 3075B. by \*Hill T.

**House Resolution No. 164** -- Memorials, Recognition - Taylor Long, 2017 FFA American Star in Agribusiness. by \*Hill T.

**House Resolution No. 165** -- Memorials, Personal Occasion - Hazel Eller, 100th birthday. by \*Hill T.

**House Resolution No. 166** -- Memorials, Personal Occasion - Jim and Dorothy Cress, 50th anniversary. by \*Hill T.

**House Joint Resolution No. 520** -- Memorials, Recognition - Tennessee Fisher House. by \*White D, \*Rudd, \*Terry, \*Sparks.

**House Joint Resolution No. 521** -- Memorials, Interns - Trevin Thomas Ayers. by \*Harwell.

**House Joint Resolution No. 522** -- Memorials, Recognition - Highland Park Ruritan Club, 50th anniversary. by \*Matlock.

**House Joint Resolution No. 523** -- Memorials, Recognition - Tiffany Johnson. by \*Rudd, \*Sargent, \*Wirgau, \*White D, \*Terry, \*Sparks.

**House Joint Resolution No. 524** -- Memorials, Retirement - Officer Sidney "Sid" Claxton Cripps. by \*Pody.

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**House Joint Resolution No. 525** -- Memorials, Retirement - Officer Fred Donald Dye, Jr. by \*Pody.

**House Joint Resolution No. 526** -- Memorials, Recognition - Dyer County High School cheerleading team, U.S. Junior Coed National Team. by \*Sanderson.

**House Joint Resolution No. 527** -- Memorials, Professional Achievement - Dan Whittle. by \*Sparks, \*DeBerry, \*Terry, \*White D, \*Fitzhugh.

**House Joint Resolution No. 528** -- Memorials, Recognition - Celebrates June 2017 as "Pets Matter Month" in Tennessee. by \*Harwell, \*Whitson, \*Sargent, \*Casada, \*Howell.

**House Joint Resolution No. 529** -- Memorials, Recognition - Fred L. Davis. by \*Hardaway.

**House Joint Resolution No. 530** -- Memorials, Recognition - Dr. James Netters. by \*Hardaway.

**House Joint Resolution No. 531** -- Memorials, Academic Achievement - Baylee Webb, Salutatorian, Wilson Central High School. by \*Lynn.

**House Joint Resolution No. 532** -- Memorials, Academic Achievement - Rebecca Pettross, Valedictorian, Friendship Christian School. by \*Lynn.

**House Joint Resolution No. 533** -- Memorials, Academic Achievement - Parker Smith, Salutatorian, Friendship Christian School. by \*Lynn.

**House Joint Resolution No. 534** -- Memorials, Academic Achievement - Matthew Everett, Valedictorian, Wilson Central High School. by \*Lynn.

**House Joint Resolution No. 535** -- Memorials, Academic Achievement - LeiLani Lee, Salutatorian, Wilson Central High School. by \*Lynn.

**House Joint Resolution No. 536** -- Memorials, Academic Achievement - Andrew Franklin, Valedictorian, Heritage Christian Academy. by \*Lynn.

**House Joint Resolution No. 537** -- Memorials, Academic Achievement - Abigail Shores, Salutatorian, Heritage Christian Academy. by \*Lynn.

**House Joint Resolution No. 538** -- Memorials, Recognition - Jerusalem Day 2017. by \*Lynn.

**House Joint Resolution No. 539** -- Memorials, Interns - Auria Asadsangabi. by \*Staples.

**House Joint Resolution No. 540** -- Memorials, Academic Achievement - Peyton Alec Roberts, Salutatorian, Clay County High School. by \*Keisling.

**House Joint Resolution No. 556** -- Memorials, Academic Achievement - Lauren Olivia Henson, Salutatorian, Red Boiling Springs High School. by \*Keisling.

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**House Joint Resolution No. 557** -- Memorials, Academic Achievement - Tara Allison Pedigo, Valedictorian, Clay County High School. by \*Keisling.

**House Joint Resolution No. 558** -- Memorials, Academic Achievement - Cole Jarek Dziekiewicz, Valedictorian, Red Boiling Springs High School. by \*Keisling.

**Senate Joint Resolution No. 399** -- Memorials, Academic Achievement - Anna Torrence, Valedictorian, Upperman High School. by \*Bailey.

**Senate Joint Resolution No. 400** -- Memorials, Academic Achievement - Austin Houston, Salutatorian, Stone Memorial High School. by \*Bailey.

**Senate Joint Resolution No. 401** -- Memorials, Interns - Caitlin Elizabeth Hughes. by \*Jackson.

**Senate Joint Resolution No. 402** -- Memorials, Death - Robert D. LaPella. by \*Crowe.

**Senate Joint Resolution No. 403** -- Memorials, Recognition - Jalen M. Howard, Boys and Girls Clubs of Jackson Youth of the Year. by \*Jackson.

**Senate Joint Resolution No. 404** -- Memorials, Recognition - Jerry Dewayne Hurdle, Boys and Girls Club of the Hatchie River Region Youth of the Year. by \*Norris.

**Senate Joint Resolution No. 406** -- Memorials, Recognition - Tennova Healthcare - Harton, 50th anniversary. by \*Bowling.

**Senate Joint Resolution No. 407** -- Memorials, Recognition - MTSU Blue Raider Debate team. by \*Ketrone, \*Tracy.

**Senate Joint Resolution No. 416** -- Memorials, Interns - Hannah Haley. by \*Kelsey.

**Senate Joint Resolution No. 447** -- Memorials, Interns - Checovoia Foster. by \*Kyle.

Rep. Hardaway moved that all members voting aye on House Resolutions Nos. 143, 144, 145, 146, 147, 148 and House Joint Resolutions Nos. 529 and 530 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	87
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry,  
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Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 87

A motion to reconsider was tabled.

### **APPROPRIATIONS CALENDAR**

**\*House Bill No. 511** -- Appropriations - As introduced, makes appropriations for the fiscal years beginning July 1, 2016, and July 1, 2017. by \*Sargent, \*Casada, \*McCormick, \*Hawk. (SB483 by \*Norris, \*Watson)

Further consideration of House Bill No. 511, previously considered on May 4, 2017, at which time the House adopted Amendments Nos. 2, 3, 5, 13, 14, 16, 17, 7, 18, withdrew Amendments Nos. 1, 4, 10, 12, 15 and 19, and it was reset for today's Calendar.

Rep. Sargent moved that House Bill No. 511 be passed, as amended on third and final consideration.

Rep. Sargent moved adoption of House Amendment No. 22.

Rep. Matheny moved adoption of Amendment No. 1 to House Amendment No. 22 as follows:

#### **Amendment No. 1 to Amendment No. 22**

AMEND House Bill No. 511 by deleting the following language:

At July 1, 2017, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$55,000,000 from the general fund to the highway fund.

and substituting instead the following:

At July 1, 2017, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$55,000,000 from the general fund to the highway fund. It is the legislative intent that the entire amount transferred in this item be earmarked for planning, engineering, right-of-way acquisition, construction, improvement, and rehabilitation of roads and bridges on the state-aid highway system as provided in Tennessee Code Annotated, Sections 54-4-401 through 54-4-406; provided, further, that said funds be allocated by the same formula as is set forth in Tennessee Code Annotated, Section 54-4-103.

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Rep. Pody moved the previous question on Amendment No. 1 to House Amendment No. 22 , which motion failed by the following vote:

Ayes .....	44
Noes.....	39

Representatives voting aye were: Brooks H., Byrd, Calfee, Carr, Carter, Casada, Crawford, Curcio, Daniel, Eldridge, Farmer, Forgety, Gant, Halford, Hawk, Hill M., Hill T., Holsclaw, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Marsh, Matlock, McDaniel, Pody, Reedy, Rogers, Rudd, Sargent, Sexton J., Shaw, Sherrell, Smith, Tillis, Van Huss, Weaver, White D., White M., Whitson, Zachary, Madam Speaker Harwell -- 44

Representatives voting no were: Akbari, Alexander, Butt, Camper, Clemmons, Coley, Cooper, Doss, Dunn, Fitzhugh, Gilmore, Gravitt, Hardaway, Hazlewood, Hicks, Holt, Hulsey, Jernigan, Lollar, Lynn, Matheny, McCormick, Miller, Mitchell, Parkinson, Powell, Ramsey, Sanderson, Sexton C., Sparks, Staples, Stewart, Swann, Thompson, Towns, Travis, Turner, Williams, Wirgau -- 39

After further discussion, Rep. Cooper moved the previous question on Amendment No. 1 to House Amendment No. 22 , which motion prevailed.

On motion, Amendment No. 1 to House Amendment No. 22 was adopted by the following vote:

Ayes .....	77
Noes.....	9
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Zachary, Madam Speaker Harwell -- 77

Representatives voting no were: Carter, Gravitt, Hazlewood, Hicks, McCormick, McDaniel, Sargent, Whitson, Wirgau -- 9

Representatives present and not voting were: Swann -- 1

Rep. Sargent moved adoption of House Amendment No. 22, as amended, as follows:

**Amendment No. 22**

AMEND House Bill No. 511 by deleting all language after the enacting clause and substituting instead new Sections 1 through 59, namely:

Sections 1 through 59 of House Bill 511 as filed for introduction on February 6, 2017, and considered to be part of this amendment.

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**ADMINISTRATION AMENDMENT**

**AND FURTHER AMEND** by adding the following Sections between Sections 56 and 57 and renumbering the subsequent Sections accordingly:

**ADDITIONAL 2017-2018 APPROPRIATIONS**

SECTION 57. Other Additions to Budget. In addition to the amounts appropriated in Sections 1 and 4 of this act, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal aid and other departmental revenues and position authorizations accordingly. Full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Court System – Reconcile CPI Salary Increase for Judges	\$ 11,900	\$ 0
2. Attorney General and Reporter – Reconcile CPI Salary Increase for Attorney General	100	0
3. District Public Defenders Conference – Reconcile CPI Increase for Shelby and Davidson County Public Defenders	2,200	0
4. Governor's Office – Reconcile CPI Salary Increase for Governor	100	0
5. Comptroller of the Treasury – Certified County Financial Officers – Reallocated Funds from UT-CTAS	0	1,575,600
6. UT-County Technical Assistance Service – Certified County Financial Officers – Reallocated Funds to Comptroller	0	(1,575,600)
7. TennCare – Medicaid Management Information System – Contract Costs	0	11,060,200
8. TennCare – 4.8% Provider Rate Increase – Intellectual and Developmental Disabilities Providers	8,000,000	0
9. Tourism – Tennessee Music Pathway – Operational Funding	0	600,000
10. Environment – Pikeville Area Water Shortage – Planning Funds for Long-Term Solution	0	500,000
11. Economic and Community Development – Film and TV Incentive Fund – Grants	0	11,000,000
12. Economic and Community Development –	1,000,000	1,500,000

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Launch TN – Increase		
13. Economic and Community Development – London Direct Flights – Grant	0	1,000,000
14. Education – Dual Credit Program	0	660,000
15. Education – Priority Schools Improvement Grants	0	10,000,000
16. Education – State Board of Education – State Report Card (1 FT)	100,000	0
17. Tennessee Higher Education Commission – College Completion Initiatives for Minority Students (1 FT)	105,000	0
18. Board of Regents and Locally Governed Institutions – Management Support Services	0	1,500,000
19. Tennessee Technological University – Carnegie Classification	500,000	0
20. Mental Health and Substance Abuse Services – Prevention, Education, Treatment and Recovery	2,000,000	0
21. Health – Meharry Wellness Program – Grant	500,000	0
22. Health – Families Free – Grant	0	100,000
23. Revenue – Sales Tax Disaster Relief – Gatlinburg/Sevier County	0	3,350,000
24. Tennessee Bureau of Investigation – Operational Increase	1,000,000	0
25. Miscellaneous Appropriations – Legislative Initiatives – Increase	1,000,000	0
26. Miscellaneous Appropriations – TCRS – Increase	10,100,000	0
27. Miscellaneous Appropriations – Risk Management – Increase	500,000	0
28. Miscellaneous Appropriations – Aeronautic Economic Development Fund – Increase	0	15,000,000
29. Miscellaneous Appropriations – TVA / Ocoee River Agreement	0	11,800,000
30. Miscellaneous Appropriations – African American Museum – Grants	0	500,000
31. Miscellaneous Appropriations – NAACP 100 <sup>th</sup> Anniversary and MLK 50 <sup>th</sup> Anniversary – Grants	0	150,000
32. Miscellaneous Appropriations – Rhea County Courthouse Renovation – Grant	0	200,000
33. Miscellaneous Appropriations – Oliver Springs Historical Society – Grant	0	100,000
34. Miscellaneous Appropriations – Teach for America – Grant	0	1,000,000
35. Miscellaneous Appropriations – Johnson City Veterans Memorial – Grant	0	50,000
36. Miscellaneous Appropriations – Memphis Research Consortium – Grant	0	2,500,000

37. Children's Services – Mountain View YDC Reorganization – Staff Reductions (-127 FT)	(8,213,400)	0
38. Children's Services – Mountain View YDC Reorganization – Prevention Services	3,000,000	0
39. Children's Services – Mountain View YDC Reorganization – Private Provider Network – Level Three Placements	492,700	0
40. Children's Services – Mountain View YDC Reorganization – Private Provider Network – Hardware Secure	3,467,500	0
41. TennCare for Children's Services – Mountain View YDC Reorganization	364,100	0
<b>Total</b>	<b>\$ 23,930,200</b>	<b>\$ 72,570,200</b>

Item 2. Dedicated Source Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Treasury – Investment Positions – Salaries and Benefits	\$ 600,000	\$ 0
<b>Total</b>	<b>\$ 600,000</b>	<b>\$ 0</b>

SECTION 58. Legislation. In addition to the appropriations in Sections 1 and 4 of this act, the following amounts hereby are appropriated for the purpose of implementing the cited bills, and such additional or lesser amounts indicated in the final fiscal note on the bills as enacted are hereby appropriated. The Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly. Federal and other departmental revenue adjustments may be made in reconciliation to said fiscal notes and to available federal aid and other departmental revenue. Adjustments to the number of authorized positions indicated in the line items as full-time (FT), part-time (PT), and seasonal shall be reconciled to the fiscal notes. The negative amounts in line-items of this section are appropriation reductions, and the positive amounts are appropriation increases. The appropriation in each item of this section is subject to the bill cited in that item becoming a law, except as otherwise provided.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. SB 1221 / HB 534 – Comptroller of the Treasury – Property Tax Relief	\$ 5,000,000	\$ 0

2.	SB 214 / HB 647 – TennCare – Hospital Assessment – Fiscal Note Reconciliation	0	(21,640,500)
3.	SB 1206 / HB 317 – Mental Health and Substance Abuse Services – Not Guilty by Reason of Insanity	18,300	0
4.	SB 484 / HB 512 - Budget Implementation - General Law Changes - Sum Sufficient Estimated @ \$0	0	0
5.	SB 1210 / HB 322 – Safety – School Bus Safety – Fiscal Note Reconciliation (-2 FT)	(350,000)	0
6.	SB 1210 / HB 322 – Education – School Bus Safety – Fiscal Note Reconciliation (2 FT)	350,000	0
7.	SB 584 / HB 63 –Education – Individualized Education Accounts – Fiscal Note Reconciliation	8,700	0
8.	SB 161 / HB 126 – Miscellaneous Appropriations – Opportunity Scholarship Pilot Program – Fiscal Note Reconciliation	(169,600)	100,000
9.	SB 1209 / HB 319 – Labor – Background Checks – Fiscal Note Reconciliation	100	400
10.	SB 1209 / HB 319 – Human Services – Background Checks – Fiscal Note Reconciliation	(100)	39,800
11.	SB 1209 / HB 319 – Revenue – Background Checks – Fiscal Note Reconciliation	1,200	0
12.	SB 763 / HB 604 – Emergency Responder Death Benefit – Fiscal Note Reconciliation	25,000	0
13.	SB 398 / HB 628 – Medication Therapy Management – Fiscal Note Reconciliation	0	1,874,400
14.	SB 1250 / HB 438 – Tennessee Energy Policy Council – Fiscal Note Reconciliation	72,200	0
<b>Total</b>		<b>\$ 4,955,800</b>	<b>\$ (19,625,900)</b>

Item 2. Dedicated Source and Earmarked Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. SB 1192 / HB 304 – Commerce and Insurance – Securities Industry – Fiscal Note Reconciliation	\$ (22,200)	\$ 0
2. SB 1193 / HB 305 – Commerce and Insurance – Healthcare Providers Model Act – Off Notice (-2 FT)	(148,000)	0

3. SB 1221 / HB 534 – Transportation – IMPROVE Act – Fiscal Note Reconciliation	(127,910,000)	0
4. SB 1209 / HB 319 – Transportation – Background Checks – Fiscal Note Reconciliation	0	(900)
5. SB 17 / HB 21 – DUI Memorial Signs – Highway Fund Earmark	0	200
<b>Total</b>	<b><u>\$ (128,080,200)</u></b>	<b><u>\$ (700)</u></b>

SECTION 59. Cost Increase Reductions. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting cost increase appropriations and positions that had been recommended in the 2017-2018 Budget Document, and the Commissioner of Finance and Administration is authorized to allocate the appropriation reductions to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly.

Item 1. The appropriation in Section 1, Title III-9, Item 1.1, Administration, hereby is reduced in the amount of \$150,000 recurring for the P20 Data System.

Item 2. The appropriation in Section 1, Title III-9, Item 2.1c, Basic Education Program, hereby is reduced in the amount of \$4,953,000 to reconcile TCRS funding in the BEP.

Item 3. The appropriation in Section 1, Title III-9, Item 2.1c, Basic Education Program, hereby is reduced in the amount of \$20,000,000 recurring.

Item 4. The appropriation in Section 1, Title III-22, Item 3.4, Other Post Employment Benefits Liability, hereby is reduced in the amount of \$19,300,000 non-recurring.

Item 5. The appropriation in Section 1, Title III-22, Item 11.1, Administration Amendment, hereby is reduced in the amount of \$17,500,000, with \$7,500,000 being recurring and \$10,000,000 being non-recurring.

Item 6. The appropriation in Section 1, Title III-23, Item 1, Administration, hereby is reduced in the amount of \$2,619,000 to reconcile the private provider rate increase.

SECTION 60. Additional Base Reductions. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts in addition to the base reductions and positions that had been recommended in Volume 2 of the 2017-2018 Budget Document, and the Commissioner of Finance and Administration is authorized to allocate the appropriation reductions to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly.

Item 1. The appropriation in Section 1, Title III-22, Item 2.3, Retired Teachers Insurance, is hereby reduced by \$6,460,000 recurring.

Item 2. The appropriation in Section 1, Title III-9, Item 2.1b, Career Ladder, is hereby reduced by \$2,100,000 recurring.

Item 3. The appropriation in Section 1, Title III-22, Item 9.7, Postage Rate Increase – State Agencies, is hereby reduced by \$500,000 recurring.

**ADDITIONAL 2016-2017 SUPPLEMENTAL APPROPRIATIONS**

SECTION 61. Other 2016-2017 Supplemental Appropriations. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated the following amounts, which shall be in addition to the appropriations provided under Chapter 758, Public Acts of 2016, and in Section 38 of this act.

Item 1. To the Department of Correction, the amount in Section 38 of this act for Water Shortage – Pikeville Area is hereby reduced in the amount of \$884,700.

Item 2. To the Department of Economic and Community Development, the amount in Section 38 of this act is hereby reduced in the amount of \$20,000,000.

Item 3. To the Department of Tourist Development, the amount of \$4,100,000 for direct appropriation marketing grants to the Convention and Visitors Bureaus of Gatlinburg (\$2,050,000), Pigeon Forge (\$1,435,000), and Sevierville (\$615,000) for the Sevier County wildfires.

**CAPITAL OUTLAY – ADDITIONAL PROVISIONS**

SECTION 62. Capital Outlay Additional Provisions. The following provisions are in addition to other provisions of this act concerning the capital outlay budget and the facilities revolving fund capital outlay budget.

Item 1. The provisions of this item shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated the following amounts, which shall be in addition to the appropriations provided in Public Chapter 758 of 2016, and in Section 38 of this act.

(a). Department of Economic and Community Development – LG Electronics U.S.A., Inc., in the amount of \$22,300,000.

Said funds herein appropriated to the Department of Economic and Community Development shall be expended for the purpose of making a grant to The Industrial Development Board of the County of Montgomery, Tennessee for the LG Electronics U.S.A., Inc. project to begin on March 1, 2017 and expended for the purpose of acquisition of



equipment and acquisition, site preparation, erection, construction and equipment of sites and buildings, and infrastructure improvements and development, including, but not limited to, sewer, water, utility, and rail infrastructure, whether or not such infrastructure is owned by The Industrial Development Board of the County of Montgomery, Tennessee.

(b). Department of General Services – Facilities Revolving Fund – Tennessee Tower 3<sup>rd</sup> Floor Renovations (Secretary of State), in the amount of \$315,000.

Item 2. In addition to the Facilities Revolving Fund capital outlay projects listed on page A-157 of the 2017-2018 Budget Document and in Section 1, Title III-29, and Section 4, Title III-27 of this act, the following amounts hereby are funded.

(a). Department of General Services – State Museum Storage – Building Renovation, in the amount of \$3,750,000.

(b). Department of General Services – New State Library and Archives, in the amount of \$40,000,000.

The Commissioner of Finance and Administration is further authorized to transfer, in the fiscal year ended June 30, 2017, the amount of \$10,000,000 from the reserves of the Secretary of State to provide additional funds for this project. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it.

It is the legislative intent to fund the balance of the total cost of the project in fiscal year 2018-2019; that total cost estimated to be \$98,000,000. The appropriation and reserves provided in this item amount to \$50,000,000 of that \$98,000,000 total cost.

Item 3. Of the Facilities Revolving Fund capital outlay projects listed on page A-157 of the 2017-2018 Budget Document and in Section 1, Title III-29, and Section 4, Title III-27 of this act, the following amounts hereby are reduced.

(a). Department of General Services – Statewide Security Upgrades Phase II, in the amount of \$3,040,000.

Item 4. Of the Facilities Revolving Fund capital maintenance projects listed on page A-157 of the 2017-2018 Budget Document and in Section 4, Title III-27 of this act, the following hereby are reduced.

(a). Department of General Services – East Tennessee Regional Health Office Lab Renovations, in the amount of \$400,000 from other funds.

Item 5. Of the capital outlay projects listed on pages A-133 through A-134 of the 2017-2018 Budget Document and in Section 1, Title III-32 of this act, the following hereby are reduced.

(a). Tourist Development – Tennessee Music Pathway Phase I, in the amount of \$600,000.

Item 6. In addition to the capital outlay projects listed on pages A-133 through A-134 of the 2017-2018 Budget Document and in Section 1, Title III-32 of this act, the following hereby are funded.

(a). Department of Veterans Services – East Tennessee Veterans Cemetery – Additional Columbariums, in the amount of \$625,000.

(b). Tennessee Board of Regents – Columbia State Community College – Parking Garage, in the amount of \$1,250,000.

Item 7. Of the capital maintenance projects listed on pages A-135 through A-137 of the 2017-2018 Budget Document and Section 1, Title III-32 of this act, the following hereby are funded.

(a). Tennessee Board of Regents and the boards of locally governed institutions – Campus Security Task Force Recommendations, in the amount of \$3,950,000.

(b). Department of General Services – Sullivan County Agricultural Center – Grant, in the amount of \$750,000.

(c). Department of General Services – AgriCenter International – Grant, in the amount of \$1,000,000.

Item 8. Of the capital outlay projects funded from dedicated revenues listed on page A-138 of the 2017-2018 Budget Document, the following hereby are reduced.

(a). Tennessee Wildlife Resources Agency, Region 3 – ADA Facility Compliance, in the amount of \$500,000 (\$375,000 from federal funds and \$125,000 from other funds).

(b). Tennessee Wildlife Resources Agency, Region 4 – ADA Facility Compliance, in the amount of \$350,000 (\$262,500 from federal funds and \$87,500 from other funds).

Item 9. The appropriation for the capital outlay project identified on pages A-133 and A-141 of the 2017-2018 Budget Document as “Tennessee School for the Deaf Student Cottage Renovations” hereby shall be provided for the renovation or replacement of said cottages at the Tennessee School for the Deaf.

Item 10. The appropriation for the capital outlay project identified on pages A-133 and A-141 of the 2017-2018 Budget Document as “Henry Horton

State Park Inn, Restaurant, and Visitor Center” hereby shall support the demolition of the visitor center and restaurant, construction of a new visitor center and restaurant, road reconfiguration, required site work, and planning funds for the park, which may include additional cabins.

**SECTION 7 – EARMARKED APPROPRIATIONS**

AND FURTHER AMEND in Section 7 by inserting the following new item at the end of the Section:

Item 52. Finance and Administration in Section 4, Title III-2, Item 2.3, pursuant to Tennessee Code Annotated, Section 8-25-401, for administering the “Cafeteria Benefits Plan” for state employees.

AND FURTHER AMEND in Section 7, Item 5 by deleting the language “; and Tennessee Code Annotated, Section 8-25-401, the same being a “Cafeteria Benefits Plan” for state employees”.

AND FURTHER AMEND in Section 7, Item 7 by deleting the item in its entirety and substituting instead the following:

Item 7. Commission on Children and Youth, in Section 1, Title III-2, Item 2.1, the sum of \$565,000 for the sole purpose of making grants to each of the 53 established Court-Appointed Special Advocate programs (CASA) and to establish 3 additional CASA programs. It is the legislative intent that 56 CASA programs receive total grant funding of \$20,000 each.

AND FURTHER AMEND in Section 7, Item 15 by deleting the language “associated” and substituting instead the language “wildland firefighting”.

AND FURTHER AMEND in Section 7, Item 44 by deleting the language “\$1,415,600” and substituting instead the language “\$1,613,600”.

AND FURTHER AMEND in Section 7 by inserting the following new item at the end of the Section:

Item 51. Department of Environment and Conservation, Tennessee State Parks, in Section 1, Title III-5, Item 5, the amount of \$165,000 (non-recurring) to the city of Parkers Crossroads for grant matching funds to connect the Parkers Crossroads Battlefield walking trail to the Veterans Cemetery.

**SECTION 9 – SUM SUFFICIENT FROM DEPARTMENTAL REVENUES**

AND FURTHER AMEND in Section 9 by inserting the following new item 42:

Item 42. To the Department of Environment and Conservation, Office of Energy Programs, from the revenues and reserves of the Volkswagen Environmental Mitigation Trust Fund.

**HIGHER EDUCATION DISCLOSED CAPITAL OUTLAY**  
**FROM SCHOOL BONDS AND INSTITUTIONAL SOURCES**

AND FURTHER AMEND in Section 29 of the bill by inserting the following new item 28:

Item 28. The capital outlay projects listed in the 2017-2018 Budget Document and which are identified with the heading "Proposed Capital Projects from School Bonds and Other Sources, Fiscal Year 2017-2018," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the higher education institutions and their governing boards, the Tennessee Higher Education Commission, Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board and the State Building Commission.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on page A-140 in the 2017-2018 Budget Document:

**State University and Community College System**  
**(Tennessee Board of Regents and Locally Governed Institutions):**

**East Tennessee State University:**

Baseball Hitting Facility	\$	150,000
Solar Panel System	200,000	
Total ETSU	\$	350,000

**Middle Tennessee State University:**

College Heights Renovations	\$	1,000,000
Cope Interior Renovations	200,000	
Facilities Storage Sheds	280,000	
Floyd Stadium Video Board Upgrades	600,000	
Floyd Stadium Visitors Training Area	530,000	
Football Operations Facility	30,000,000	
Greenhouse Construction	300,000	
Parking Services Facility	3,500,000	
Photography Archive Facility	425,000	
Tennis Facilities	5,000,000	
Women's Athletics Complex	5,000,000	
Women's Softball Locker Facilities	875,000	
Total MTSU	\$	47,710,000

**Tennessee State University:**

Agriculture Facilities Improvements	\$	3,500,000
Food Service Facilities Improvements	3,500,000	

Gateway Entrance	225,000
Road and Parking Improvements	1,450,000
Hale Stadium Modernization	18,000,000
New Student Housing	75,200,000
Total TSU	<u>\$ 101,875,000</u>

**Tennessee Technological University:**

Athletics Facilities Improvements	\$ 56,750,000
Capitol Quad Steam Line Replacement	1,980,000
Resident Hall/Living and Learning Community	29,500,000
Total TTU	<u>\$ 88,230,000</u>

**Nashville State Community College:**

Main Campus Improvements	\$ 550,000
Southeast Center Renovations	7,400,000
Total NASCC	<u>\$ 7,950,000</u>

**Pellissippi State Community College:**

Hardin Valley Parking	\$ 900,000
Strawberry Plains Parking Expansion	1,000,000
Total PSCC	<u>\$ 1,900,000</u>

**Tennessee Colleges of Applied Technology:**

TCAT Chattanooga Industrial Electricity Building	\$ 75,000
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**Total Tennessee Board of Regents and Locally**

<b>Governed Institutions:</b>	<u><b>\$ 248,090,000</b></u>
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**University of Tennessee:**

**UT Knoxville:**

Band Observation Tower	\$ 400,000
Conference Center Renovations	4,000,000
Fred Brown Renovations	1,000,000
Hodges Library Sprinkler Heads Replacement	1,000,000
Hoskins Library Kefauver Wing Demolition	700,000
Student Services Renovations	300,000
Total UTK	<u>\$ 7,400,000</u>

**UT Chattanooga:**

Chattanooga State Office Building	\$ 2,530,000
Dining Improvements	10,400,000

Parking Lot 34	625,000
Total UTC	<u>\$ 13,555,000</u>
<b>UT Martin</b>	
Beef Cattle Teaching and Demonstration Facility	\$ 1,500,000
<b>UT Health Science Center:</b>	
Gross Anatomy Lab Renovation (Programming)	\$ 250,000
Campus Police Building Renovation	3,200,000
Total UTHSC	<u>\$ 3,450,000</u>
<b>Total University of Tennessee:</b>	<u>\$ 25,905,000</u>
<b>Grand Total:</b>	<u><u>\$ 273,995,000</u></u>

The request for the UTM Beef Cattle Teaching and Demonstration Facility in the amount of \$860,000, as identified on page A-140 of the 2017-2018 Budget Document, is to be cancelled.

#### **SECTION 35 – TRANSFERS OF APPROPRIATIONS IN FY 2017-2018**

AND FURTHER AMEND in Section 35 by inserting the following new item:

Item 28. In Section 1 for the SNAP Employment and Training Program, a reallocation of appropriations between the Department of Labor and Workforce Development and the Department of Human Services is authorized. The Commissioner of Finance and Administration is further authorized to adjust federal aid, other departmental revenues and positions as may be required.

This item is subject to Senate Bill No. 484 / House Bill No. 512 becoming a law, the public welfare requiring it.

#### **SECTION 36 – CARRYFORWARD OF APPROPRIATIONS AT JUNE 30, 2017**

AND FURTHER AMEND in Section 36 by inserting the following new items to the end of the Section:

Item 102. To the Department of Education, Early Childhood Education, the unexpended balance of appropriations for the Kindergarten Entry Screener program.

Item 103. To the Department of Revenue, Insurance Verification, for the uninsured motorist identification restricted fund pursuant to Tennessee Code Annotated, Section 55-12-213.

Item 104. To the Comptroller of the Treasury, the unexpended balance of the non-recurring appropriation in Section 57 of this act for the Certified County Financial Officers training program.

### SECTION 39 – PROGRAM EXPANSIONS

#### FROM FEDERAL AND OTHER DEPARTMENTAL REVENUE

AND FURTHER AMEND by deleting Section 39 in its entirety and inserting the following as a new Section 39:

SECTION 39. Program Expansions from Federal and Other Departmental Revenue. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2017, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2017.

There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2016-2017</u>	<u>2017-2018</u>
Tennessee Housing and Development Agency		
1. Tennessee Housing and Development Agency	\$ 0	\$ 3,000,000
Education		
1. Early Childhood Education	\$ 132,400	\$ 308,700
2. Centers of Regional Excellence (CORE)	<u>7,287,000</u>	<u>10,000,000</u>
Sub-Total Education	<u>\$ 7,419,400</u>	<u>\$ 10,308,700</u>
Mental Health and Substance Abuse Services		
1. Administrative Services Division	\$ 0	\$ 437,600
2. Community Substance Abuse Services	<u>0</u>	<u>13,377,500</u>
Sub-Total Mental Health and Substance Abuse Services	<u>\$ 0</u>	<u>\$ 13,815,100</u>
<b>Total</b>	<b><u>\$ 7,419,400</u></b>	<b><u>\$ 27,123,800</u></b>

The Commissioner of Finance and Administration is authorized to establish four full-time positions and to allocate them to the appropriate organizational units, including two positions in the Department of Education, and two in the Department of Mental Health and Substance Abuse Services.

#### SECTION 41 – PROVISIONS CONCERNING CERTAIN APPROPRIATIONS

AND FURTHER AMEND in Section 41, Item 1(1)(a) by deleting the sub-item in its entirety and substituting instead the following language:

(a) An amount sufficient to implement and pay the cost of administering the Section 125 cafeteria plan established for state employees is hereby appropriated for that purpose. From the appropriation made in this item and any annual forfeited contributions, the Commissioner of Finance and Administration is authorized to establish positions and funding for such positions to fund recurring and non-recurring costs of administering the cafeteria plan established for such employees. There is hereby appropriated a sum sufficient to pay additional costs of administering the State Employee Cafeteria Plan as a result of increased participation in the plan by state employees; and

**SECTION 43 – OVER-APPROPRIATION – ESTIMATED REVERSION TO GENERAL FUND**

AND FURTHER AMEND in Section 43 by deleting Item 1(a) in its entirety and substituting instead the following:

(a). In fiscal year 2016-2017 to recognize an over-appropriation of \$149,838,100, including a base recurring over-appropriation of \$89,838,100 and a non-recurring over-appropriation of \$60,000,000.

AND FURTHER AMEND in Section 43 by deleting Item 1(b) in its entirety and substituting instead the following:

(b). In fiscal year 2017-2018 to recognize an over-appropriation of \$74,188,100, Including a base recurring over-appropriation of \$74,188,100 and a non-recurring over-appropriation of \$0.

AND FURTHER AMEND in Section 43, Item 7, by deleting the item in its entirety and substituting instead the following new item:

Item 7. In the fiscal year ending June 30, 2017, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$120,635,900 from the general fund to the highway fund.

AND FURTHER AMEND in Section 43 by the following new items to the end of the Section:

Item 10. In the fiscal year ending June 30, 2017, the Commissioner of Finance and Administration is hereby authorized to transfer the amount of \$11,060,200 from the TennCare Reserve to the general fund to fund costs of the Medicaid Management Information System.

Item 11. At July 1, 2017, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$55,000,000 from the general fund to the highway fund.



**SECTION 50 – LOTTERY FOR EDUCATION ACCOUNT**

AND FURTHER AMEND in Section 50 by inserting the following new item to the end of the Section:

Item 6. From the funds appropriated to the Lottery for Education Account, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 720 / House Bill No. 980, relative to the Tennessee middle college scholarship, if such bill becomes a law.

**SECTION 55 – HOSPITAL COVERAGE ASSESSMENT**

AND FURTHER AMEND in Section 55, Item 1, by deleting the item in its entirety and substituting instead the following:

Item 1.

(a) If Senate Bill No. 214 / House Bill No. 647, the annual coverage assessment act, becomes a law, there hereby is appropriated from the appropriations in Section 1, Title III-26, of this act, the sum of \$424,950,100 (non-recurring) to the TennCare Program for the following purposes, and the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly; provided, however, that if the federal government disallows the coverage assessment as a valid source to match federal Medicaid funds, the appropriations in this Item 1(a) shall be null and void, and the appropriations in Section 1, Title III-26 shall be reduced accordingly. If the cited bill does not become a law, the appropriations in Section 1, Title III-26 of this act, are hereby reduced in the amount of \$424,950,100.

<u>Description</u>	<u>Amount</u>
Essential Access Hospital Payments..... \$	34,395,000
Disproportionate Share Hospital Payments .....	27,839,000
Graduate Medical Education .....	17,197,500
Critical Access Hospital Payments .....	3,439,500
Medicare Part A Reimbursement.....	12,227,600
Provider Reimbursement and Co-Pay .....	54,265,400
Hospital Reimbursement Ceiling.....	14,781,300

In-Patient Services .....	35,923,700
Lab and X-Ray Procedures .....	14,850,100
Therapies .....	6,029,800
Out-Patient Services .....	25,154,900
Office Visits .....	19,613,000
Match for ADT Contract Payments .....	95,000
Directed Hospital Payments.....	156,497,200
Non-Emergent Care at Hospitals.....	577,400
340B Pricing Provision – MCO Contractor Agreement	<u>2,063,700</u>
 Total .....	 \$ <u>424,950,100</u>

(b) There is further appropriated to the TennCare Program, in addition to the appropriation, Hospital Payments – Unreimbursed Costs, a sum sufficient from any amount in excess of \$424,950,100 collected from the coverage assessment for the purpose of hospital payments for unreimbursed costs.

(c) To the extent that revenue collected from the coverage assessment is less than \$424,950,100, the appropriation, Directed Hospital Payments, hereby is reduced in the amount of the under-collection.

(d) From the funds available in TennCare maintenance of coverage trust fund at June 30, 2017, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

#### HOUSEKEEPING –

#### TYPOGRAPHICAL, NAME, DATE, AND CITATION CORRECTIONS

AND FURTHER AMEND in Section 2, Item 13 (d) by deleting the language “and to the Chairs of the State and Local Government Committee of the Senate and State Government Committee of the House of Representatives” and inserting “to the Chairs of the State and Local Government Committee of the Senate and State Government Committee of the House of Representatives, and to the directors of the Office of Legislative Budget Analysis”;

AND FURTHER AMEND in Section 8, Item 5 (b) by deleting the language “June 30, 2015” and inserting “June 30, 2016”;

AND FURTHER AMEND in Section 36 by deleting the language “beginning July 1, 2016” and inserting “beginning July 1, 2017”;

AND FURTHER AMEND in Section 55, Item 2 by deleting the language “Senate Bill No. \_\_\_\_ / House Bill No. \_\_\_\_” and inserting “Senate Bill No. 0185 / House Bill No. 0142”;

AND FURTHER AMEND in Section 43, Item 2 by deleting the language “June 30, 2016” and inserting “June 30, 2017”;

### **LEGISLATIVE ADJUSTMENTS**

**AND FURTHER AMEND** by adding the following language as a new item to Section 23:

Item \_\_\_\_\_. On or before February 1, 2018, the Commissioner of General Services shall submit to the Office of Legislative Budget Analysis the Annual Facility Revolving Fund Report.

**AND FURTHER AMEND** by adding the following new item to the end of Section 49:

Item 5. Pay plan adjustment for increases suspended in FY 03-04.

(a) From funds appropriated to the District Attorneys General Conference, a sum sufficient is earmarked to reinstate the salary increase suspended for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for assistant district attorneys effective July 1, 2017.

(b) From funds appropriated to the District Public Defenders Conference, a sum sufficient is earmarked to reinstate the salary increase suspended for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for assistant district public defenders and district investigators effective July 1, 2017.

(c) Notwithstanding any provision of this section to the contrary, from the appropriation made in Section 1, Title III-22, Item 4.5, State Employees Salary Pool – Market Rate Adjustment – 7/1/2017, a sum sufficient is earmarked to reinstate the salary increase suspended for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for employees who come under the provision of a statutorily mandated pay plan in the Office of the Post-Conviction Defender, the

Department of Safety, and the Tennessee Law Enforcement Training Academy effective July 1, 2017.

(d) From funds appropriated to the Tennessee Wildlife Resources Agency, it is the legislative intent to reinstate the salary increase suspended for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for the survey portion of the Tennessee Wildlife Resources Agency pay plan effective July 1, 2017.

**AND FURTHER AMEND** by deleting Section 1, Item III-22, line item 11.2.

**AND FURTHER AMEND** by deleting Section 58, Item 1, line item 8, and substituting instead the following:

8. SB 161 / HB 126 – Miscellaneous Appropriations – Opportunity Scholarship Pilot Program – Eliminate Appropriation	(400,000)	0
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**AND FURTHER AMEND** by deleting the Total line of Section 58, Item 1, and substituting instead the following:

<b>Total</b>	\$ 4,725,400	\$ (19,725,900)
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**AND FURTHER AMEND** by deleting Section 57, Item 1 and substituting instead the following:

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Court System – Reconcile CPI Salary Increase for Judges	\$ 11,900	\$ 0
2. Attorney General and Reporter – Reconcile CPI Salary Increase for Attorney General	100	0
3. District Public Defenders Conference – Reconcile CPI Increase for Shelby and Davidson County Public Defenders	2,200	0
4. Governor's Office – Reconcile CPI Salary Increase for Governor	100	0
5. Comptroller of the Treasury – Certified County Financial Officers – Reallocated Funds from UT-CTAS	0	1,575,600
6. UT-County Technical Assistance Service – Certified County Financial Officers – Reallocated Funds to Comptroller	0	(1,575,600)
7. TennCare – Medicaid Management	0	11,060,200

	Information System – Contract Costs		
8.	TennCare – 4.8% Provider Rate Increase – Intellectual and Developmental Disabilities Providers	8,000,000	0
9.	Tourism – Tennessee Music Pathway – Operational Funding	0	600,000
10.	Environment – Pikeville Area Water Shortage – Planning Funds for Long-Term Solution	0	500,000
11.	Economic and Community Development – Film and TV Incentive Fund – Grants	0	11,000,000
12.	Economic and Community Development – Launch TN – Increase	1,000,000	1,500,000
13.	Economic and Community Development – London Direct Flights – Grant	0	1,000,000
14.	Education – Dual Credit Program	0	660,000
15.	Education – Priority Schools Improvement Grants	0	10,000,000
16.	Education – State Board of Education – State Report Card (1 FT)	100,000	0
17.	Tennessee Higher Education Commission – College Completion Initiatives for Minority Students (1 FT)	105,000	0
18.	Board of Regents and Locally Governed Institutions – Management Support Services	0	1,500,000
19.	Tennessee Technological University – Carnegie Classification	500,000	0
20.	Mental Health and Substance Abuse Services – Prevention, Education, Treatment and Recovery	2,000,000	0
21.	Health – Meharry Wellness Program – Grant	500,000	0
22.	Health – Families Free – Grant	0	100,000
23.	Revenue – Sales Tax Disaster Relief – Gatlinburg/Sevier County (SB 409/HB 494)	0	3,350,000
24.	Tennessee Bureau of Investigation – Operational Increase	500,000	0
25.	Miscellaneous Appropriations – TCRS – Increase	10,100,000	0
26.	Miscellaneous Appropriations – Risk Management – Increase	500,000	0
27.	Miscellaneous Appropriations – Aeronautic Economic Development Fund – Increase	0	15,000,000
28.	Miscellaneous Appropriations – TVA / Ocoee River Agreement	0	11,800,000
29.	Miscellaneous Appropriations – African American Museum – Grants	100,000	400,000
30.	Miscellaneous Appropriations – NAACP 100 <sup>th</sup> Anniversary and MLK 50 <sup>th</sup> Anniversary – Grants	0	150,000

31. Miscellaneous Appropriations – Rhea County Courthouse Renovation – Grant	0	200,000
32. Miscellaneous Appropriations – Oliver Springs Historical Society – Grant	0	100,000
33. Miscellaneous Appropriations – Teach for America – Grant	0	1,000,000
34. Miscellaneous Appropriations – Memphis Research Consortium – Grant	0	2,500,000
35. Children’s Services – Mountain View YDC Reorganization – Staff Reductions (-127 FT)	(8,213,400)	0
36. Children’s Services – Mountain View YDC Reorganization – Prevention Services	3,000,000	0
37. Children’s Services – Mountain View YDC Reorganization – Private Provider Network – Level Three Placements	492,700	0
38. Children’s Services – Mountain View YDC Reorganization – Private Provider Network – Hardware Secure	3,467,500	0
39. TennCare for Children’s Services – Mountain View YDC Reorganization	364,100	0
<b>Total</b>	<b>\$ 22,530,200</b>	<b>\$ 72,420,200</b>

**AND FURTHER AMEND** by adding the following new sections immediately following Section 62 and renumbering the subsequent sections accordingly:

**DEDICATED SOURCE & EARMARKS & REDUCTIONS**

SECTION 63.

Item 1. From the funds appropriated or available to any department, commission, board, agency, or other entity of state government, there is earmarked or appropriated, as applicable, a sum sufficient to fund any bill or resolution, that becomes law, having an estimated first year’s cost of \$50,000 or less, that is attributable to a specific entity or from a specific fund, and is not otherwise funded in this act.

Item 2. From funds appropriated in Section 57, Item 1, sub-item 30, there is earmarked the sum of \$100,000 (recurring) to the Tennessee State Museum, to be used solely for maintenance, restoration, and operational expenses of the Green McAdoo Cultural Center, if the center is given to the state.

Item 3. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of funding any joint resolution calling for an amendment to the Tennessee constitution that is not otherwise funded in this act.

Item 4. From the funds appropriated to the Tennessee Board of Chiropractic Examiners, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 313 / House Bill 387, relative to chiropractic physicians, if such bill becomes a law.

Item 5. From the funds appropriated to the Department of Health, Health Related Boards, Board of Osteopathic Examination, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1154 / House Bill 500, relative to increasing the per diem for members of the Board of Osteopathic Examination, if such bill becomes a law.

Item 6. From the funds appropriated to the Administrative Office of the Courts, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 213 / House Bill 377, relative to criminal background checks for certain employees, if such bill becomes a law.

Item 7. From the funds appropriated to the Comptroller of the Treasury, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 138 / House Bill 88, relative to training for members of certain utility boards, if such bill becomes a law.

Item 8. From the funds appropriated to the Department of Commerce, Regulatory Boards, Board of Licensing Contractors, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 292 / House Bill 333, relative to authorizing the Board of Licensing Contractors to hire its own staff, if such bill becomes a law.

Item 9. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 726 / House Bill 535, relative to removal of fraudulent liens, if such bill becomes a law.

Item 10. From the appropriations made to the Department of Economic and Community Development, Fast Track Infrastructure and Job Training Assistance Program, in Section 1, Title III-8, line item 8 of this act, there is earmarked the sum of \$840,000 (non-recurring) to the Department of Finance and Administration for the purchase of land for the rail right of way for the Port of Cates Landing in Lake County and a 200 ton crane.

Item 11. From the funds appropriated to the Wildlife Resources Agency, there is transferred and appropriated the sum of \$250,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of renovation of the boat ramp in the Meeman-Shelby Forest State Park. The Commissioner of Finance and Administration is authorized to transfer \$250,000 from the Wildlife Resources Fund established under Tennessee Code Annotated, Title 70, Chapter 1, Part 4, to the general fund to effectuate the provisions of this item.

Item 12. From the funds appropriated to the Tennessee Film, Entertainment and Music Commission, there is earmarked the sum of \$1,250,000 (non-recurring) to the Tennessee Film, Entertainment and Music Commission for

the sole purpose of making a grant in such amount to be used for production of a movie about the 1899 football team at Sewanee: The University of the South.

Item 13. From reserves available to the Tennessee Historical Commission for the sole purpose of research and publication of up to one thousand two hundred (1,200) hardbound copies of the next volume of the Biographical Directory of the Tennessee General Assembly pursuant to the appropriation made in Section 74, Chapter 1029, Public Acts of 2012, there is transferred and appropriated a sum sufficient not to exceed \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Historical Society, to be used for the same purpose in Section 74, Chapter 1029, Public Acts of 2012.

Item 14. Of the capital maintenance projects listed on page A-146 of the 2017-2018 Budget Document, the following is eliminated:

(a) Department of General Services – Statewide LED Lighting and Lighting Controls, in the amount of \$8,680,000.

Item 15. In the fiscal year ending June 30, 2018, the Commissioner of Finance and Administration is authorized to establish a separate reserve in the general fund for revenues collected in the unclaimed property program in excess of the program's obligations to its claimants and the general fund. It is the legislative intent to appropriate the funds from the reserve in the fiscal year ending on June 30, 2019 to cover revenue fluctuations caused by a change in unclaimed property reporting dates. The provisions of this item are subject to Senate Bill 371 / House Bill 420 becoming a law.

## **LEGISLATIVE INITIATIVES**

### **SECTION 64.**

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement all bills and resolutions having an estimated first year's cost of \$50,000 or less, which become law and are adopted, respectively. It is the legislative intent that if such bills and resolutions are otherwise funded by the provisions of this act, then the funds appropriated in this item shall be reduced accordingly.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$175,000 (recurring) for the sole purpose of implementing Senate Bill 1059 / House Bill 1368, relative to increasing the current death benefit for certain first responders, if such bill becomes a law.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$360,600 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1230 / House Bill 810, relative to enacting the Elderly and Vulnerable Adult Protection Act, if such bill becomes a law.



Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$505,500 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1260 / House Bill 1041, relative to creating a new sentencing enhancement factor, if such bill becomes a law.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 1363 / House Bill 1367, relative to certain telecommunications providers, if such bill becomes a law.

Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 1250 / House Bill 438, relative to state energy policy council, if such bill becomes a law.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,444,100 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1241 / House Bill 452, relative to the punishment for the unlawful carrying or possession of a firearm, if such bill becomes a law.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 438 / House Bill 484, relative to Tennessee Uniform Limited Partnership Act, if such bill becomes a law.

Item 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 384 / House Bill 397, relative to requiring driver licenses to be printed in vertical format for persons under age 21, if such bill becomes a law.

Item 10. If Senate Bill 704 / House Bill 879, the Ground Ambulance Service Provider Assessment Act, becomes a law, there hereby is appropriated the sum of \$29,999,000 (of which \$19,694,300 shall be from federal funds) to the Ambulance Service Assessment Revenue Fund, and the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly; provided, however, that if the federal government disallows the ambulance service assessment as a valid source to match federal funds, the appropriations in this item shall be null and void, and the appropriations made in this item shall be reduced accordingly. If the cited bill does not become a law, the appropriations in this item are hereby reduced in the amount of \$29,999,000.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (recurring) to the Department of Human Services for the sole purpose of making a grant in such amount to the Second Harvest Food Bank of Middle Tennessee, to be used for the purpose of purchasing, handling, and transporting food for hunger relief. The

Second Harvest Food Bank of Middle Tennessee shall distribute the funds to the five (5) food banks across the state, as follows:

- (a) 35% to Second Harvest Food Bank of Middle Tennessee;
- (b) 25% to Memphis Food Bank;
- (c) 20% to Second Harvest Food Bank of East Tennessee;
- (d) 10% to Chattanooga Area Food Bank;
- (e) 10% to Second Harvest Food Bank of Northeast Tennessee.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in the amount of \$50,000 to each of the Science Alliance Museums.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of General Services for the sole purpose of making grants in the amount of \$200,000 each to the four (4) accredited Tennessee zoos and the Tennessee Aquarium, to be used for capital improvement projects.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Economic and Community Development to host the 2019 NCSL Annual Summit in Nashville, Tennessee. Any unexpended funds shall not revert to the general fund and shall be carried forward in a reserve to be expended for purposes of this item.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Tennessee Bureau of Investigation for the sole purpose of methamphetamine clean-up.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$450,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants in the amount of \$10,000 each to the Child Advocacy Centers across the state, to be used for programs, services, and operations. The grants made under this item shall be awarded to the Tennessee Chapter of Children's Advocacy Centers and each local Child Advocacy Center so that each organization receives an equal share of the amount appropriated under this item.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$450,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of making a grant in such amount to the West Tennessee River Basin Authority, to be used

for the Running Reelfoot Bayou Ecosystem Restoration/Flood Risk Study and the Cypress Creek Ecosystem Restoration/Infrastructure Protection Project.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Mental Health and Substance Abuse Services for the sole purpose of an opioid addiction treatment pilot program to provide opioid relapse and alcohol addiction dependence treatment, including non-narcotic medication assisted treatment, to adults who are participating or eligible for participation in a drug court treatment program. It is the intent of the General Assembly that grants be distributed to drug court treatment programs in the three (3) Grand Divisions of the state.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$33,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of expenditures related to events commemorating the Great War Centennial to be held at the Sgt. Alvin C. York State Historic Park.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Orange Grove Center, to be used for start-up costs associated with a mandated transition of operational programs from facility-based to community-based in order to comply with federal regulatory changes, primarily to be used for increased staff numbers required by community-based programs and to develop opportunities to ensure full inclusion into community-based programs.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$750,000 (non-recurring) to the Tennessee Higher Education Commission, THEC Grants Program, for the sole purpose of making grants to fund student financial aid for individuals enrolled in a new medical education program jointly administered by Middle Tennessee State University and Meharry Medical College.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (non-recurring) to the Department of Transportation for the sole purpose of making a grant in such amount to the City of Mt. Juliet, to be used for acquisition and installation of a guardrail along West Division Street where it borders Eagle Park.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$60,000 (non-recurring) to the Commission on Children and Youth for the sole purpose of making a grant in such amount to Tennessee Court Appointed Special Advocate Association, Inc., to be distributed in the amount of \$2,000 to each of the 30 centers across the state, to be used for quality assurance and expansion initiatives.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$180,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to the Tennessee Alliance of Boys and Girls Clubs, to be used for expanding the Career and Technical Education Program (CTE) to additional clubs across the state.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Tourist Development for the sole purpose of continuing the Waterways Accessibility for Tennessee Recreation (WATR) grant funds to improve and maintain access to Tennessee's waterways.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Historical Commission for the purpose of repair or replacement, including fabrication and installation costs, of historical markers. It is the legislative intent that markers be repaired or replaced in the order in which the commission was notified of the need to repair or replace a marker. On or before March 1, 2018, the Executive Director of the Historical Commission shall submit a written report to the Office of Legislative Budget Analysis concerning the number and location of markers repaired or replaced with funds appropriated in this item and the number and location of markers repaired or replaced with funds appropriated pursuant to Section 66, Item 17 of Chapter 427 of the Public Acts of 2015.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$8,000,000 (non-recurring) to the Tennessee bureau of investigation (TBI) for the sole purpose of purchasing of, and acquiring ownership to, the TBI's airplane used for search and rescue, criminal surveillance, and public safety. The Comptroller of the Treasury shall preform a comprehensive review of the TBI's accounting and budgeting processes as well as a general review of how the agency should implement best practices in fiscal management to maximize their effectiveness. The Comptroller shall provide a written report to the Chairs of the Finance, Ways, and Means Committees of the House of Representatives and Senate on or before January 31, 2018. As a prerequisite to the receipt of such appropriation, the TBI shall agree to provide to the Commissioner of Finance and Administration, within ninety (90) days of the close of the fiscal year within which such appropriation was received, an accounting or other written documentation of the actual expenditure of such funds for the purposes of this item.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$550,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of providing grants to Thistle Farms and to the four (4) single point of contact agencies in Tennessee recognized by the Tennessee Bureau of Investigation and the Department of Children's Services to facilitate the provision of comprehensive wraparound services to the victims of human trafficking recovered in Tennessee. The services funded in this item shall include, but not be limited to, safe housing, medical care, mental health and substance abuse care, transportation, job

training, and other basic human needs. The Department shall distribute the grants in equal amounts to Thistle Farms and to the following single point of contact agencies:

- (a) Grow Free Tennessee in Knoxville;
- (b) Second Life in Chattanooga;
- (c) Restore Corps in Memphis; and
- (d) End Slavery Tennessee in Nashville.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Men of Valor, to be used for a study on the value of the organization to the state.

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Historical Commission for the sole purpose of maintenance to the historic masonic hall in Williamson County.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$47,000 (non-recurring) to the Department of Health for the sole purpose of making grants to the Epilepsy Foundations across the state as follows: Epilepsy Foundation of Middle & West Tennessee, Epilepsy Foundation of Southeast Tennessee, and Epilepsy Foundation of East Tennessee. Such grants shall be used for education, child safety and prevention initiatives, and services to those with epilepsy. It is the legislative intent that such grants be distributed based on existing percentages.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,250,000 (non-recurring) to the Tennessee Film, Entertainment and Music Commission for the sole purpose of making a grant in such amount to be used for production of a movie about the 1899 football team at Sewanee: The University of the South.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Big Brothers Big Sisters of Middle Tennessee, to be distributed equally among the following five (5) Big Brothers Big Sisters programs in Tennessee:

- (a) Big Brothers Big Sisters of Clarksville;
- (b) Big Brothers Big Sisters of Greater Chattanooga;
- (c) Big Brothers Big Sisters East Tennessee;

(c) Big Brothers Big Sisters of the Mid-South, Inc.; and

(d) Big Brothers Big Sisters of Middle Tennessee.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$240,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Andrew Jackson Foundation, to be used for restoration, maintenance, and improvements to the church, cemetery, and visitor center/ticket office at the Hermitage.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,500 (non-recurring) to the county government of the County of Bedford, Tennessee for the sole purpose of a firefighters memorial.

Item 36. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Jobs for Tennessee Graduates, Inc., to be used for providing a one credit course as a general elective to twelfth grade at-risk, high school students.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$8,000,000 (non-recurring) to the Department of Veterans Services, to be distributed to the State Veterans Homes Board for the sole purpose of construction of the West Tennessee Veterans Home in Memphis. It is the legislative intent that such appropriation be used as bridge funding.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the Tennessee Commission on Aging and Disability for the sole purpose of making a grant in such amount to Senior Citizens, Incorporated, of Davidson County, to be used for programs and services. It is the legislative intent that the appropriation made in this item be divided equally between the seven regional FiftyForward Active Aging Centers.

Item 39. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 230 / House Bill 910, relative to allocation of fuel tax revenue, if such bill becomes a law.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 557 / House Bill 1291, relative to marijuana enforcement, if such bill becomes a law.

#### **LOTTERY FOR EDUCATION ACCOUNT**

**AND FURTHER AMEND** by adding the following new items to Section 50:

Item \_\_\_\_\_. From the funds appropriated to the Lottery for Education Account, there is earmarked the sum of \$10,000 for the sole purpose of implementing Senate Bill 34 / House Bill 329, relative to expanding the Tennessee HOPE Teacher's Scholarship, if such bill becomes a law.

**AND FURTHER AMEND** by requesting the Engrossing Clerk to:

(1) Delete the bold underlined explanatory headings in this amendment;  
and

(2) Exclude this paragraph from the engrossed bill.

On motion, House Amendment No. 22, as amended, was adopted.

Rep. McCormick moved that House Amendment No. 23 be withdrawn, which motion prevailed.

Rep. Byrd moved the previous question, which motion prevailed by the following vote:

Ayes ..... 70  
Noes..... 15

Representatives voting aye were: Alexander, Brooks H., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Hulsey, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Pody, Ramsey, Reedy, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Swann, Thompson, Tillis, Travis, Turner, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 70

Representatives voting no were: Akbari, Camper, Cooper, Fitzhugh, Hardaway, Hill M., Holt, Jernigan, Parkinson, Powell, Rogers, Staples, Stewart, Towns, Van Huss -- 15

Rep. Sargent moved that **House Bill No. 511**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 83  
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Brooks H., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis,

Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 83

Representatives voting no were: Hardaway, Holt -- 2

A motion to reconsider was tabled.

### EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Faison

### APPROPRIATIONS CALENDAR, CONTINUED

**\*House Bill No. 514** -- Appropriations - As introduced, authorizes state spending to exceed growth in revenues by \$438 million or 2.85 percent. - Amends TCA Title 9, Chapter 4, Part 52. by \*Sargent, \*Casada, \*McCormick, \*Hawk. (SB486 by \*Norris, \*Watson)

Rep. Sargent moved that House Bill No. 514 be passed on third and final consideration.

Rep. Camper moved the previous question, which motion prevailed.

Rep. Sargent moved that **House Bill No. 514** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	74
Noes.....	10

Representatives voting aye were: Akbari, Brooks H., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Parkinson, Powell, Ramsey, Reedy, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White M., Whitson, Williams, Wirgau, Zachary -- 74

Representatives voting no were: Alexander, Butt, Hardaway, Holt, Kumar, Mitchell, Pody, Rogers, Sexton J., Weaver -- 10

A motion to reconsider was tabled.



**\*House Bill No. 512** -- Public Funds and Financing - As introduced, revises provisions governing the health access incentive account; makes other statutory revisions necessary to implementation of the annual appropriations act. - Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71. by \*Sargent, \*Casada, \*McCormick, \*Hawk. (SB484 by \*Norris, \*Watson)

Rep. Sargent moved that House Bill No. 512 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 512 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 66-29-151(b), is amended by deleting the subsection in its entirety and substituting instead the following:

The commissioner of health shall direct these funds, subject to the approval of the commissioner of finance and administration, to programs designed to enhance health access. The programs may include, but not be limited to, funding for services provided by federally qualified health centers, recruitment incentives, community initiatives, service-linked training opportunities, support for high technology/telecommunications efforts, prevention initiatives, efforts to improve the built environment, strategies to improve the health of the population, and other strategies to expand primary, obstetric and dental health care services in underserved areas. Pursuant to a finding of need by the commissioner, the health access program may also address the lack of adequate access in underserved areas to other health care providers and health care services such as emergency medicine, mental health care, and prevention treatment services for low income, pregnant substance abusers.

SECTION 2. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following language as a new subsection:

( ) Notwithstanding the allocations provided for in subsection (a) and § 67-6-710, all moneys received and identified by the commissioner as moneys paid by out-of-state dealers acting in compliance under this chapter with any rule filed with the secretary of state on or after October 1, 2016, and effective on or before January 1, 2017, to give effect to Chapter 789 of the Public Acts of 1988, shall be reported monthly by the commissioner and apportioned into special reserve accounts in the various funds that, pursuant to applicable statutes, share in the proceeds of sales tax collections. Interest earnings on the moneys collected shall be calculated by the division of accounts, department of finance

and administration, and allocated monthly to the various fund reserve accounts. Such moneys shall remain in these reserve accounts and shall not revert at the end of any fiscal year; provided, however, such moneys shall be earmarked, allocated and become available for appropriation as otherwise provided in this chapter upon certification by the attorney general and reporter of the happening of any of the following:

(1) The final resolution of any contested case brought before the commissioner under the Uniform Administrative Procedures Act compiled in title 4, chapter 5, or suit challenging application of any rule filed with the secretary of state on or after October 1, 2016, and effective on or before January 1, 2017, to give effect to Chapter 789 of the Public Acts of 1988;

(2) The effective date of a federal law enacted by the United States Congress to regulate the various states' ability to require out-of-state dealers to collect the taxes imposed by this chapter, pursuant to its authority to regulate interstate commerce; or

(3) That no party has brought a contested case before the commissioner under the Uniform Administrative Procedures Act compiled in title 4, chapter 5, or a suit challenging application of any rule filed with the secretary of state on or after October 1, 2016, and effective on or before January 1, 2017, to give effect to Chapter 789 of the Public Acts of 1988; provided, however, that any certification under this subdivision (3) shall not occur before June 30, 2018.

SECTION 3. Tennessee Code Annotated, Section 4-3-1405(d)(2), is amended by deleting the subdivision in its entirety.

SECTION 4. Tennessee Code Annotated, Section 71-5-304(1), is amended by deleting the subdivision in its entirety and substituting instead the following new subdivision (1):

(1) Supervise the administration of the food stamp or food assistance program in this state for eligible recipients;

SECTION 5. Tennessee Code Annotated, Section 4-7-209, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) The salary increase provided by this part and suspended by subsection (a) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification pursuant to this part, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 6. Tennessee Code Annotated, Section 8-7-226, is amended by adding the following as a new, appropriately designated subsection:

(c) The salary increase provided by subsection (a), and suspended by subsection (b) for the period July 1, 2003, through June 30, 2004, is reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification for assistant district attorneys, credible service for the time period of July 1, 2003, through June 30, 2004, is included.

SECTION 7. Tennessee Code Annotated, Section 8-14-107(b), is amended by adding the following as a new, appropriately designated subdivision:

(5) The salary increase provided by subdivision (b)(1), and suspended by subdivision (b)(4) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification for assistant district public defenders, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 8. Tennessee Code Annotated, Section 8-14-107(c), is amended by adding the following as a new, appropriately designated subdivision:

(6) The salary increase provided by subdivision (c)(1), and suspended by subdivision (c)(5) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification for district public defender investigators, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 9. Tennessee Code Annotated, Section 40-30-209, is amended by adding the following as a new subsection:

(e) The salary increase provided by this section and suspended by subsection (d) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification pursuant to this section, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 10. Tennessee Code Annotated, Section 70-1-309, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) The salary increase provided by this section and suspended by subsection (a) for the period July 1, 2003, through June 30, 2004, shall be reinstated effective July 1, 2017. For purposes of determining the appropriate salary classification pursuant to this section, credible service for the time period of July 1, 2003, through June 30, 2004, shall be included.

SECTION 11. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other

provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 12. Sections 1, 2, 3, 4, and 11 of this act shall take effect upon becoming a law, the public welfare requiring it. All other Sections shall take effect July 1, 2017, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Hulsey moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. McCormick moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Sargent moved that **House Bill No. 512**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 85

A motion to reconsider was tabled.

**\*House Bill No. 513** -- Bond Issues - As introduced, authorizes the state to issue and sell bonds of up to \$80 million. by \*Sargent, \*Casada, \*McCormick, \*Hawk. (SB485 by \*Norris, \*Watson)

Rep. Sargent moved that House Bill No. 513 be passed on third and final consideration.

Rep. Hulsey moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **House Bill No. 513** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes.....	3

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Powell, Ramsey, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 82

Representatives voting no were: Hardaway, Holt, Pody -- 3

A motion to reconsider was tabled.

### **REGULAR CALENDAR**

**\*House Bill No. 1020** -- Real Property - As introduced, enacts the "Short-Term Rental Unit Act" and revises other provisions concerning short-term rentals, including taxation. - Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68. by \*Sexton C. (SB1086 by \*Stevens)

Rep. C. Sexton moved that House Bill No. 1020 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 1020 by deleting 66-38-104 in Section 1 and substituting the following:

#### **66-38-104.**

(a) Except as otherwise provided in this section, a local governing body shall not prohibit or effectively prohibit the use of property as a short-term rental unit.

(b) Notwithstanding subsection (a), a local governing body may:

(1) Enact, maintain, or enforce a local law that regulates property used as a short-term rental unit if the primary purpose of the local law is to protect the public's health and safety and if the law does not prohibit or effectively prohibit the use of a property as a short-term rental unit; or

(2) Apply a local law that regulates land use to a short-term rental unit in the same manner as other residential dwellings. This subdivision (b)(2) includes local laws concerning residential use and other zoning matters, noise, property maintenance, and nuisance.

(c) Notwithstanding subsection (a), a local governing body may limit or prohibit the use of a short-term rental unit to prohibit or restrict the:

- (1) Housing of sexual offenders;
- (2) Operation as a residential treatment facility licensed under title 33, chapter 2, part 4 or similar facility;
- (3) Selling of illegal drugs;
- (4) Selling of beer or alcoholic beverages or other activity that requires a permit or license under title 57; or
- (5) Operation as an adult-oriented establishment pursuant to title 7, chapter 51.

**AND FURTHER AMEND** by deleting 66-38-103(a) in Section 1 and substituting the following:

(a) An online short-term rental unit marketplace shall notify a short-term rental unit provider that lists a short-term rental unit on the digital platform provided by the online short-term rental unit marketplace that it is recommended that the short-term rental unit provider inquire as to the coverage and exemptions under the provider's homeowner's or renter's insurance policy imposed by the provider's insurance company upon short-term rental activities.

**AND FURTHER AMEND** by deleting the amendatory language in Section 3 and substituting the following:

(d) A municipality may levy the tax described in subsections (a), (b), and (c) on a short-term rental unit provider, as defined by § 67-11-101, if:

- (1) The tax is levied in the same amount and manner for operators of hotels that are not short-term rental units, as defined by § 67-11-101, as it is for operators of hotels that are short-term rental unit providers; and
- (2) On and after January 1, 2019, the municipality permits collection and remittance as set out in title 67, chapter 11, which allows an online short-term rental unit marketplace, as defined by § 67-11-101, to collect and remit the tax.

**AND FURTHER AMEND** by deleting the amendatory language in Section 5 and substituting the following:

(d) A municipality may levy the tax described in this section on a short-term rental unit provider, as defined in § 67-11-101, if:

(1) The tax is levied in the same amount and manner for operators of hotels that are not short-term rental units, as defined by § 67-11-101, as it is for operators of hotels that are short-term rental unit providers; and

(2) On and after January 1, 2019, the municipality permits collection and remittance as set out in title 67, chapter 11, which allows an online short-term rental unit marketplace, as defined by § 67-11-101, to collect and remit the tax.

**AND FURTHER AMEND** by deleting subsection (b) in Section 6 and substituting the following:

(b)

(1) Any tax authorized to be levied by any city, town, or county on the privilege of occupancy of a hotel pursuant to any ordinance, resolution, or private act, enacted or modified prior to, on, or after, January 1, 2019, must be levied in the same amount and manner for operators of hotels as it is for short-term rental unit providers, as defined by § 67-11-101.

(2) On and after January 1, 2019, the city, town, or county must permit an online short-term rental unit marketplace, as defined by § 67-11-101, to collect and remit the tax as set out in title 67, chapter 11.

**AND FURTHER AMEND** by deleting Section 12 and substituting the following:

SECTION 12. Tennessee Code Annotated, Section 67-6-205(c)(1), is amended by deleting the language "inn" and substituting the language "short-term rental unit provider, as defined by § 67-11-101, inn".

**AND FURTHER AMEND** by deleting the language "subdivisions (a)(1), (a)(3), (a)(4) and (a)(5)" in 67-11-102(b) in Section 14 and substituting the language "subsection (a)".

**AND FURTHER AMEND** by adding the following language at the end of 67-11-102(b) in Section 14:

An election pursuant to subsection (a) shall be effective only with respect to time periods during which the department is responsible for the collection of the taxes set forth in subsection (a) pursuant to § 67-11-103(a). The short-term rental unit marketplace shall maintain records in accordance with § 67-1-113.

**AND FURTHER AMEND** by deleting the language "subdivisions (a)(1), (a)(3), (a)(4) and (a)(5)" in 67-11-102(c) in Section 14 and substituting the language "subsection (a), or to the auditing of such taxes,".

**AND FURTHER AMEND** by deleting 67-11-103 in Section 14 and substituting the following:

**67-11-103.**

(a) Within ninety (90) days after this act becomes effective as described in subsection (b) in the effective date section of this act, a local governing body imposing any tax set forth in § 67-11-102(a)(1)-(4) with respect to any short-term rental may elect, in a manner prescribed by the department, to continue to administer all such taxes. If a local governing body adopts or is authorized to impose any tax set forth in § 67-11-102(a)(1)-(4) after this act becomes effective as described in subsection (b) in the effective date section of this act, the local governing body may make such election, or amend a previous election, within thirty (30) days after the adoption or enactment of such tax. If a local governing body does not make such election, or amend a previous election, within the time prescribed, the taxes set forth in § 67-11-102(a) and imposed by the local governing body shall be collected by the department, as provided in this chapter, and administered in the same manner as provided in chapter 6 of this title with respect to the sales and use tax.

(b) Within ninety (90) days after this act becomes effective as described in subsection (b) in the effective date section of this act, unless a local governing body has made an election under subsection (a), the local governing body must furnish the department a certified copy of each resolution, ordinance, public act, or private act adopting or authorizing the local governing body to impose the taxes set forth in § 67-11-102(a)(1), (a)(2), (a)(3), and (a)(4) and inform the department of the applicable rate and the effective date of that rate. If a local governing body adopts or is authorized to impose any tax set forth in § 67-11-102(a)(1), (a)(2), (a)(3), and (a)(4) after this act becomes effective as described in subsection (b) in the effective date section of this act, unless a local governing body has made an election under subsection (a), or amended a previous election, it must furnish such certified copies and information to the department within thirty (30) days after the effective date of the adoption or enactment of such tax. The department shall not be obligated to collect any local taxes specified in § 67-11-102(a)(1)-(4) if a local governing body does not provide information in accordance with this section.

(c) The department shall publish and maintain a list of all taxes it collects pursuant to § 67-11-102 and the applicable rates of tax.

**AND FURTHER AMEND** by adding the language "that are administered by the department" after the language "collect and remit the taxes set out in § 67-11-102(a)" in 67-11-104(1) in Section 14.

**AND FURTHER AMEND** by deleting subdivision (2) in 67-11-104 in Section 14 and renumbering subdivision (3) as new subdivision (2).

**AND FURTHER AMEND** by deleting 67-11-106 in Section 14 and substituting the following:

**67-11-106.**



All taxes collected pursuant to this chapter must be collected and remitted by the online short-term rental unit marketplace, and administered by the department, in the same manner as provided by chapter 6 of this title. Online short-term rental unit marketplaces that collect the taxes set out in § 67-11-102(a) are subject to the administration and enforcement provisions of chapter 6, parts 4 and 5 of this title, and chapter 1, parts 8, 14, and 18 of this title.

**AND FURTHER AMEND** by deleting 67-11-107 in Section 14 and substituting the following:

**67-11-107.**

The sales tax collected pursuant to this chapter shall be distributed in accordance with allocations pursuant to chapter 6 of this title. The local taxes, specified in § 67-11-102(a)(1)-(4), collected pursuant to this chapter shall be distributed on a monthly basis by the department to the applicable local governing body in which the short-term rental unit was located and the tax was collected. The department may deduct an administrative fee of one and one hundred twenty-five thousandths percent (1.125%) of the collected taxes specified in § 67-11-102(a)(1)-(4) to cover its expenses of administering the collection and distribution of the tax.

**AND FURTHER AMEND** by deleting Sections 7 and 10 and renumbering the remaining sections accordingly.

**AND FURTHER AMEND** by deleting the effective date section and substituting the following:

SECTION \_\_\_\_.

(a) Except for the provision labeled § 67-11-101, Section 12 of this act shall take effect January 1, 2019, the public welfare requiring it.

(b) All other sections in this act, including the provision labeled § 67-11-101, shall take effect upon becoming a law, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Wirgau moved that Local Government Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Wirgau moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 1020 by deleting Section 1 and redesignating existing sections accordingly.

**AND FURTHER AMEND** by deleting the language "Section 12" in the effective date section and substituting instead the language "Section 11".

On motion, House Amendment No. 3 was adopted.

Rep. C. Sexton moved that House Bill No. 1020 be reset for the Regular Calendar on May 8, 2017, which motion prevailed.

**House Bill No. 1097** -- Highways, Roads and Bridges - As introduced, makes permanent the provision allowing counties to provide 2 percent matching funds for state-aid highway funds rather than 25 percent that was set to expire July 1, 2017. - Amends TCA Section 54-4-404. by \*Hill T, \*Rogers. (\*SB700 by \*Yager, \*Bowling)

On motion, House Bill No. 1097 was made to conform with **Senate Bill No. 700**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 700 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 700 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-4-404(d)(1), is amended by deleting the language "during fiscal years 2015-2016 or 2016-2017" and substituting instead "during fiscal years 2015-2016, 2016-2017, 2017-2018, or 2018-2019".

SECTION 2. Tennessee Code Annotated, Section 54-4-404(d)(2), is amended by deleting the language "July 1, 2017" and substituting instead "July 1, 2019".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. T. Hill moved that **Senate Bill No. 700**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 82  
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel,

**FRIDAY, MAY 5, 2017 -- THIRTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Wirgau, Zachary, Madam Speaker Harwell -- 82

Representatives voting no were: Hazlewood -- 1

A motion to reconsider was tabled.

**\*House Bill No. 220** -- Railroads - As introduced, establishes a liability limit of \$10 million per occurrence or per claim for special passenger excursion train operated by a nonprofit sponsor; requires nonprofit sponsors of such trains to maintain liability insurance. - Amends amend TCA Title 29 and Title 65. by \*Ragan. (SB699 by \*Yager, \*Bowling)

Rep. Williams moved that House Bill No. 220 be reset for the Regular Calendar on May 8, 2017, which motion prevailed.

**\*House Bill No. 415** -- Criminal Offenses - As introduced, requires court clerks to send a copy of any judgment evidencing a person's conviction for exploiting an adult who is unable to manage such adult's own resources to the department of health for inclusion in a registry. - Amends TCA Title 4; Title 33; Title 34; Title 38; Title 39; Title 45; Title 47; Title 68 and Title 71. by \*Carr , \*Hazlewood. (SB1287 by \*Crowe, \*Norris)

On motion, House Bill No. 415 was made to conform with **Senate Bill No. 1287**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 1287 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 1287** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 81  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Zachary, Madam Speaker Harwell -- 81

A motion to reconsider was tabled.

**House Bill No. 381** -- Motor Vehicles - As introduced, authorizes the operation of autonomous vehicles on the public roads of this state. - Amends TCA Title 5; Title 6; Title 7; Title 39; Title 40; Title 54; Title 55; Title 56; Title 65 and Title 67. by \*Lamberth, \*Hill T, \*Marsh, \*Swann, \*Brooks K, \*Ragan. (\*SB151 by \*Lundberg, \*Green, \*Bowling, \*Hensley, \*Jackson, \*Kelsey)

Further consideration of House Bill No. 381, previously considered on May 4, 2017, at which time it was reset for today's Calendar.

On motion, House Bill No. 381 was made to conform with **Senate Bill No. 151**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 151 be passed on third and final consideration.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Doss moved that Transportation Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Lamberth moved that the House consider House Amendment No. 4 which motion prevailed by the following vote:

Ayes ..... 82  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 82

Rep. Lamberth moved adoption of House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND Senate Bill No. 151 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-108, is amended by designating subsection (c) as subsection (d) and adding the following new subsection (c):

For purposes of an ADS-operated vehicle, as defined by § 55-54-102, the requirements of subsection (a) are satisfied if the certificate of registration is at all times carried in or available electronically through, the vehicle to which it refers.

SECTION 2. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivisions (17), (42), and (46), and substituting instead the following:

(17) "Driver" means:

(A) For purposes of a conventionally operated vehicle, every person who drives or is in actual physical control of a vehicle; and

(B) For purposes of an ADS-operated vehicle and when the context requires, the ADS when the ADS is engaged;

(42) "Operator" means:

(A) For purposes of a conventionally operated vehicle, every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle; and

(B) For purposes of an ADS-operated vehicle and when the context requires, the ADS when the ADS is engaged;

(46) "Person" means a natural person, firm, copartnership, association, corporation, or an engaged ADS;

SECTION 3. Tennessee Code Annotated, Section 55-8-101, is amended by adding the following new appropriately designated subdivisions:

( ) "Automated driving system" or "ADS" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed in high or full automation mode, without any supervision by a human operator, with specific driving mode performance by the automated driving system of all aspects of the dynamic driving task that can be managed by a human driver, including the ability to automatically bring the motor vehicle into a minimal risk condition in the event of a critical vehicle or system failure or other emergency event;

( ) "Automated-driving-system-operated vehicle" or "ADS-operated vehicle" means a vehicle equipped with an automated driving system;

( ) "Dynamic driving task" means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic. "Dynamic

driving task" does not include strategic functions, such as route selection and scheduling;

( ) "Minimal risk condition" means a low-risk operating mode in which an ADS-operated vehicle when the ADS is engaged achieves a reasonably safe state upon experiencing a failure of the vehicle's ADS that renders the vehicle unable to perform the entire dynamic driving task;

SECTION 4. Tennessee Code Annotated, Section 55-8-162, is amended by adding the following new subsection:

Subsection (a) shall not apply with respect to an ADS-operated vehicle.

SECTION 5. Tennessee Code Annotated, Section 55-9-101, is amended by deleting the section and substituting instead the following:

As used in this chapter:

(1) "Autocycle," "motor vehicle," "motorcycle," "motor-driven cycle," and "motorized bicycle" have the meanings ascribed to them in § 55-8-101; and

(2) "Automated driving system," "ADS," and "ADS-operated vehicle" have the meanings ascribed to them in § 55-54-102.

SECTION 6. Tennessee Code Annotated, Section 55-9-602(a), is amended by adding the following new subdivision:

With respect to a vehicle equipped with an ADS, responsibility ascribed in this subsection (a) shall belong solely to the parent, guardian, or other human person accompanying the child in the vehicle, and not to the ADS or the owner of the ADS-operated vehicle.

SECTION 7. Tennessee Code Annotated, Section 55-9-602(g)(5), is amended by deleting the last sentence, designating the remaining language as subdivision (A), and adding the following new subdivision (B):

(B)

(i) If no parent or legal guardian is present at the time of the violation, the driver is solely responsible for compliance with this subsection (g) if the vehicle is operated by conventional means.

(ii) If the vehicle is operated by an ADS and:

(a) If no parent or legal guardian is present at the time of the violation, the human person accompanying the child is solely responsible for compliance with this subsection (g);

(b) If no parent or guardian is present at the time of the violation and more than one (1) human person accompanies the child, each person is jointly responsible for compliance with this subsection (g); or

(c) If no human person accompanies the child, the parent or legal guardian of the child is responsible for compliance with this subsection (g).

SECTION 8. Tennessee Code Annotated, Section 55-9-603(h), is amended by adding the following new subdivision:

An ADS or an ADS-operated vehicle. Except as otherwise provided by § 55-9-606(2), for purposes of an ADS-operated vehicle, a passenger or human operator required to be restrained by a safety belt pursuant to this section is solely responsible for the passenger's or human operator's compliance with such requirement;

SECTION 9. Tennessee Code Annotated, Section 55-9-606, is amended by deleting the section and substituting instead the following:

Notwithstanding this part to the contrary:

(1) Except as otherwise provided in subdivision (2), the operator of a passenger motor vehicle under this part shall not be fined for the failure of any passenger over sixteen (16) years of age to wear a safety belt; and

(2) For purposes of an ADS-operated vehicle and when the ADS is engaged, neither the operator nor the owner shall be fined for the failure of any passenger, regardless of age, to wear a safety belt.

SECTION 10. Tennessee Code Annotated, Sections 55-10-101, 55-10-102, 55-10-103, 55-10-104, and 55-10-106, are all amended by adding the following new, appropriately designated subsection to each section:

With respect to an ADS-operated vehicle, as defined by § 55-54-102, the requirements of subsection (a) are satisfied if the motor vehicle's owner, or a person on behalf of the motor vehicle's owner, promptly contacts a law enforcement officer or agency to report the accident and the ADS-operated vehicle remains on the scene of the accident as otherwise required by law.

SECTION 11. Tennessee Code Annotated, Section 55-10-105, is amended by designating the existing language as subsection (a) and adding the following new subsection:

With respect to an ADS-operated vehicle, as defined by § 55-54-102, the requirements of subsection (a) are satisfied if the motor vehicle's owner, or a person on behalf of the motor vehicle's owner, promptly contacts a law

enforcement officer or agency to report the accident and the ADS-operated vehicle remains on the scene of the accident as otherwise required by law.

SECTION 12. Tennessee Code Annotated, Section 55-10-107, is amended by adding the following new subsection:

With respect to an ADS-operated vehicle, as defined by § 55-54-102, the written reports required under subsection (a) must be completed by the vehicle's owner.

SECTION 13. Tennessee Code Annotated, Section 55-12-102(10), is amended by deleting the subdivision and substituting instead the following:

(10) "Operator" means:

(A) For purposes of a conventionally operated vehicle, every person who is in actual physical control of a motor vehicle whether or not licensed as an operator or chauffeur under the laws of this state; and

(B) For purposes of an ADS-operated vehicle, as defined by § 55-54-102, and when the ADS is engaged, the ADS;

SECTION 14. Tennessee Code Annotated, Section 55-12-104, is amended by adding the following new subsection:

The owner of an ADS-operated vehicle, as defined by § 55-54-102, is solely responsible for compliance with the requirements for filing the accident report under subsection (a).

SECTION 15. Tennessee Code Annotated, Section 55-50-304, is amended by adding the following new subdivision:

An ADS or an ADS-operated vehicle, as defined by § 55-54-102, or a person operating an ADS-operated vehicle with the ADS engaged;

SECTION 16. Tennessee Code Annotated, Title 55, is amended by adding the following new chapter:

**55-54-101.**

This chapter shall be known and may be cited as the "Automated Vehicles Act."

**55-54-102.**

As used in this chapter:

(1) "Automated driving system" or "ADS" means technology installed on a motor vehicle that has the capability to drive the vehicle on



which the technology is installed in high or full automation mode, without any supervision by a human operator, with specific driving mode performance by the automated driving system of all aspects of the dynamic driving task that can be managed by a human driver, including the ability to automatically bring the motor vehicle into a minimal risk condition in the event of a critical vehicle or system failure or other emergency event;

(2) "Automated-driving-system-operated vehicle" or "ADS-operated vehicle" means a vehicle equipped with an automated driving system;

(3) "Department" means the department of revenue;

(4) "Dynamic driving task" means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic. "Dynamic driving task" does not include strategic functions, such as route selection and scheduling; and

(5) "Minimal risk condition" means a low-risk operating mode in which an ADS-operated vehicle when the ADS is engaged achieves a reasonably safe state upon experiencing a failure of the vehicle's ADS that renders the vehicle unable to perform the entire dynamic driving task.

**55-54-103.**

An ADS-operated vehicle may drive or operate on streets and highways in this state with the ADS engaged without a human driver physically present in the vehicle if the vehicle meets the following conditions:

(1) Unless an exemption has been granted under applicable federal or state law, the vehicle is capable of being operated in compliance with applicable provisions of chapters 8, 9, and 10 of this title, and has been, at the time it was manufactured, certified by the manufacturer as being in compliance with applicable federal motor vehicle safety standards;

(2) The vehicle is capable, in the event of a failure of the automated driving system that renders that system unable to perform the entire dynamic driving task relevant to its intended operational design domain, of achieving a minimal risk condition;

(3) Is registered in accordance with chapter 4 of this title, and if registered in this state, the vehicle is identified on the registration as an ADS-operated vehicle; and

(4)

(A)

(i) The vehicle is covered by primary automobile liability insurance in at least five million dollars (\$5,000,000) per incident for death, bodily injury, and property damage, and the automobile liability insurance satisfies the requirements of § 56-7-1201;

(ii) Insurance required by subdivision (4)(A)(i) may be:

(a) Placed with an insurer authorized to do business in this state under title 56 or with a surplus lines insurer eligible under title 56, chapter 14;

(b) Covered by a surety bond executed and filed with the commissioner of safety; or

(c) Satisfied in accordance with § 55-12-111;

(iii) Insurance satisfying the requirements of this subdivision (4)(A) shall be deemed to satisfy the financial responsibility requirements for a motor vehicle under chapter 12 of this title;

(B) This subdivision (4) is deleted on July 1, 2021;

(C) No later than February 1, 2020, the commissioners of safety and commerce and insurance shall submit a joint report to the transportation and safety committee of the senate and the transportation committee of the house of representatives, which report shall make recommendations, including the appropriate rationale and any proposed legislation, on whether the insurance and bonding coverages and coverage amount requirements of this subdivision (4)(A) should be increased, decreased, extended, or otherwise amended.

**55-54-104.**

Notwithstanding § 55-9-105, a person who is physically inside an ADS-operated vehicle, when the ADS is engaged, may use an integrated electronic display for communication, information, and other uses enabled by the display if the display is integrated with the vehicle such that it operates and functions in coordination with such autonomous technology and disables automatically any moving images visible to the motor vehicle operator when the autonomous technology is disengaged.

**55-54-105.**

No political subdivision may by ordinance, resolution, or any other means prohibit or regulate within the jurisdictional boundaries of the political subdivision the use of:

(1) An ADS-operated vehicle that is operating in compliance with this chapter and otherwise complies with all laws of the political subdivision; or

(2) A motor vehicle operated at any level of autonomous technology, as defined by § 55-9-105(c)(6)(B), not otherwise included in this chapter.

**55-54-106.**

(a) Liability for accidents involving an ADS-operated vehicle shall be determined in accordance with product liability law, common law, or other applicable federal or state law. Nothing in this chapter shall be construed to affect, alter, or amend any right, obligation, or liability under applicable product liability law, common law, federal law, or state law.

(b) When the ADS is fully engaged, operated reasonably and in compliance with manufacturer instructions and warnings, the ADS shall be considered the driver or operator of the motor vehicle for purposes of determining:

(1) Liability of the vehicle owner or lessee for alleged personal injury, death, or property damage in an incident involving the ADS-operated vehicle; and

(2) Liability for non-conformance to applicable traffic or motor vehicle laws.

**55-54-107.**

(a) It is an offense for any person to knowingly operate a motor vehicle on the public roads or highways of this state without a human driver in the driver's seat of the vehicle unless satisfying the requirements of this chapter.

(b) A violation of subsection (a) is a Class A misdemeanor.

**55-54-108.**

Except as otherwise provided in this chapter, this chapter exclusively governs the authorization of the operation and use of an ADS-operated vehicle when the ADS is engaged and in high or full automation mode, including, but not limited to, commercial use of ADS-operated vehicles. For motor vehicles operated at any other level of autonomous technology, as defined by § 55-9-105(c)(6)(B), the motor vehicle and driver shall be held to the same laws as conventionally operated motor vehicles, including the financial responsibility

requirements of § 55-12-102, unless an exemption is specifically set out for a vehicle operated with any level of autonomy.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, House Amendment No. 4 was adopted.

Rep. Hazlewood moved the previous question, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 151**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 85  
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 85

Representatives voting no were: Rudd -- 1

A motion to reconsider was tabled.

**\*House Bill No. 441** -- Teachers, Principals and School Personnel - As introduced, authorizes the BEP to provide funding that allows all first time teachers in the state to receive \$500 for classroom instructional supplies. - Amends TCA Title 49, Chapter 3. by \*Smith, \*Cooper, \*Brooks K, \*Turner. (SB859 by \*Dickerson, \*Kelsey)

Rep. Smith moved that House Bill No. 441 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 441 by deleting all language after the encating clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-3-359, is amended by adding the following language as a new, appropriately designated subsection:

(e)

(1) As used in this subsection (e), "first year teacher" means a teacher:

(A) Who receives a license pursuant to chapter 5, part 1 of this title from the department of education; and

(B) Who has not previously worked as a licensed teacher in any school within this state or any state.

(2) Notwithstanding subsection (a), beginning in the 2017-2018 school year and annually thereafter, there is included in the Tennessee BEP an amount of money sufficient to pay five hundred dollars (\$500) for every first year teacher in kindergarten through grade twelve (K-12), subject to available appropriations. The entire five hundred dollars (\$500) shall be given to each first year teacher by October 31 of each school year so that the teacher may spend it at any time during the school year on instructional supplies as determined necessary by the teacher.

(3) This subsection (e) shall not apply to any teacher who receives a temporary permit to teach pursuant to § 49-5-106.

(4) A first year teacher shall only receive the money allowed in subdivision (e)(2) one (1) time.

SECTION 2. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Smith moved that **House Bill No. 441**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 83  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 83

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 441** and have this statement entered in the Journal: Reps. Ramsey and Zachary.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative H. Brooks

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 812** -- Motor Vehicles - As introduced, revises provisions governing permits for movements of overweight and overdimensional vehicles. - Amends TCA Title 55, Chapter 50; Section 55-7-203 and Section 55-7-205. by \*Keisling. (SB1352 by \*Bailey)

Rep. Keisling moved that House Bill No. 812 be passed on third and final consideration.

Rep. Doss moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 812 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-203, is amended by adding a new subsection (d) as follows:

(d)

(1) To the extent required by federal law, the vehicle weight limitations set forth in this section do not apply to a covered heavy-duty tow and recovery vehicle operating on the interstate highway system and within reasonable access to and from the interstate highway system to terminals and facilities for food, fuel, repairs, and rest.

(2) As used in this subsection (d), "heavy-duty tow and recovery vehicle" means a vehicle that:

(A) Is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and

(B) Has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.

SECTION 2. Tennessee Code Annotated, Section 55-7-203, is further amended by adding a new subsection (e) as follows:

(e)

(1) To the extent required by federal law, the vehicle weight limitations otherwise set forth in this section do not apply to an emergency fire suppression vehicle operating on the interstate highway system and within reasonable access to and from the interstate highway system to terminals and facilities for food, fuel, repairs, and rest. The following vehicle weight limitations shall apply instead:

(A) A maximum gross vehicle weight of eighty-six thousand pounds (86,000 lbs.);

(B) Twenty-four thousand pounds (24,000 lbs.) on a single steering axle;

(C) Thirty-three thousand five hundred pounds (33,500 lbs.) on a single drive axle;

(D) Sixty-two thousand pounds (62,000 lbs.) on a tandem axle; and

(E) Fifty-two thousand pounds (52,000 lbs.) on a tandem rear drive steer axle.

(2) As used in this subsection (e), "emergency fire suppression vehicle" means a vehicle designed to be used under emergency conditions:

(A) To transport personnel and equipment; and

(B) To support the suppression of fires and mitigation of other hazardous situations.

SECTION 3. Tennessee Code Annotated, Section 55-7-205(h)(5), is amended by deleting the language "and mobile homes as provided in § 55-4-406" and substituting instead the following:

mobile homes as provided in § 55-4-406, and towing vehicles used to transport wrecked, disabled, or abandoned vehicles under a towing permit as provided in subdivision (n)(5)

SECTION 4. Tennessee Code Annotated, Section 55-7-205(h)(5)(H), is amended by deleting the subdivision in its entirety and substituting instead the following:

(H) No annual permit shall be available for any vehicle transporting loads with weights exceeding one hundred sixty-five thousand pounds (165,000 lbs.) or dimensions exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or thirteen feet six inches (13'6") in width, and any such vehicle shall be required to obtain a special permit for the fee or fees otherwise established in subdivisions (h)(1)-(4) for a vehicle movement with excessive width, height, length, or weight; provided, however, that a vehicle holding an annual permit for excessive weight under subdivisions (h)(5)(B)-(F) may supplement that annual permit by obtaining a single trip permit allowing for the movement of a load with excessive width, height, or length not previously covered by an annual permit under this subdivision (h)(5); and

SECTION 5. Tennessee Code Annotated, Section 55-7-205(l)(2)(A), is amended by deleting the subdivision and substituting instead the following:

(A) Shall not allow movement of vehicles exceeding twelve feet six inches (12'6") in width, fifteen feet (15') in height, or ninety feet (90') in length on the interstate system of highways between the hours of seven o'clock a.m. (7:00 a.m.) to nine o'clock a.m. (9:00 a.m.) and four o'clock p.m. (4:00 p.m.) to six o'clock p.m. (6:00 p.m.) from Monday through Friday in counties having a population exceeding two hundred fifty thousand (250,000), according to the 2010 federal census or any subsequent federal census;

SECTION 6. Tennessee Code Annotated, Section 55-7-205(l)(3), is amended by adding the following as a new subdivision:

Towing vehicles engaged in emergency towing movements in accordance with subsection (n);

SECTION 7. Tennessee Code Annotated, Section 55-7-205, is amended by adding the following as a new subsection (n):

(n)

(1) Notwithstanding this section to the contrary, the commissioner of transportation is authorized to issue a special permit allowing a towing vehicle to transport wrecked, disabled, or abandoned vehicles on the state highway system, including the interstate highway system, when the towing vehicle, or the towing vehicle and towed vehicle in combination, exceeds the maximum vehicle or axle weights allowed under § 55-7-203(b), the maximum vehicle height or width allowed under § 55-7-202, or the maximum vehicle lengths allowed under § 55-7-201.

(2) For purposes of this subsection (n):

(A) "Emergency towing movement" means the towing of a wrecked, disabled, or abandoned vehicle from a location within or adjacent to the traffic lanes or shoulders of a highway to the nearest exit or repair or terminal facility within one hundred (100)



miles from the location of the wreck, disablement, or abandonment along the highway;

(B) "Secondary towing movement" means any towing movement other than an emergency towing movement; and

(C) "Towing vehicle" means a vehicle used to tow wrecked, disabled, or abandoned vehicles.

(3) When transporting a wrecked, disabled, or abandoned vehicle, the combination of towing vehicle and towed vehicle shall be considered a nondivisible load that cannot be reasonably dismantled or conveniently transported otherwise.

(4) No towing vehicle or combination of towing vehicle and towed vehicle shall be authorized to exceed any total gross vehicle weight limits or axle weight limits posted on any bridge or highway by the public official having jurisdiction over such bridge or highway.

(5) The commissioner may issue a single trip permit or an annual permit for the movement of a towing vehicle that by itself or in combination with a towed vehicle exceeds the maximum vehicle or axle weights allowed under § 55-7-203(b), the maximum vehicle height or width allowed under § 55-7-202, or the maximum vehicle lengths allowed under § 55-7-201, subject to the following conditions:

(A) When not towing a wrecked, disabled, or abandoned vehicle, the towing vehicle shall not exceed thirteen feet six inches (13'6") in height, nine feet (9') in width, or forty-five feet (45') in length. The maximum gross vehicle weight of the towing vehicle shall not exceed eighty-five thousand pounds (85,000 lbs.). The total weight on any single axle shall not exceed twenty-three thousand pounds (23,000 lbs.); the total weight on any tandem axle group shall not exceed forty-six thousand pounds (46,000 lbs.); and the total weight on any tridem axle group shall not exceed sixty thousand pounds (60,000 lbs.);

(B)

(i) When towing a wrecked, disabled, or abandoned vehicle, the combination of towing vehicle and towed vehicle shall not exceed thirteen feet ten inches (13'10") in height; twelve feet six inches (12'6") in width; or ninety feet (90') in length if the movement is a secondary towing movement that is not exempt from length restrictions under § 55-7-201(h). These size limits shall apply to all annual permits and to single trip permits except as provided in subdivision (n)(5)(B)(ii); and

(ii) A towing movement exceeding the size limits set in subdivision (n)(5)(B)(i), but not exceeding fifteen feet (15') in height or sixteen feet (16') in width, may be permitted under a single trip permit in accordance with the rules of the department of transportation if the movement is accompanied by an escort vehicle or escort vehicles. For the purpose of complying with this escort vehicle requirement, the towing vehicle itself may substitute for a front escort vehicle so long as the towing vehicle is operating with flashing amber lights displayed to the front of the vehicle;

(C)

(i) When towing a wrecked, disabled, or abandoned vehicle, the combination of the towing vehicle and towed vehicle shall not exceed one hundred sixty-five thousand pounds (165,000 lbs.) in total gross vehicle weight. The total weight on any single axle not in a tandem or tridem axle group shall not exceed twenty-five thousand pounds (25,000 lbs.); the total weight on any tandem axle group shall not exceed fifty thousand pounds (50,000 lbs.); and the total weight on any tridem axle group shall not exceed seventy-five thousand pounds (75,000 lbs.). These weight limits shall apply to all annual permits and to single trip permits except as provided in subdivision (n)(5)(C)(ii); and

(ii) A secondary towing movement exceeding the combined gross vehicle weight of one hundred sixty-five thousand pounds (165,000 lbs.), but not exceeding the maximum axle weight limits established in subdivision (n)(5)(C)(i), may be permitted under a single trip permit in accordance with the rules of the department of transportation, subject to the additional fees and charges provided in subdivision (n)(5)(E);

(D) The single trip permit or annual permit issued pursuant to this subdivision (n)(5) shall be issued to each specific towing vehicle that is engaged in the towing of wrecked, disabled, or abandoned vehicles; and

(E)

(i) The cost of a single trip permit shall be in accordance with the fees established in subdivisions (h)(1)-(3) for overdimensional and overweight permits; provided, however, that if the combined weight of the towing vehicle and towed vehicle exceeds one hundred sixty-five thousand pounds (165,000 lbs.), the cost of the

permit shall also include the additional fee of twelve cents (12¢) per ton-mile for all weight in excess of one hundred sixty-five thousand pounds (165,000 lbs.) together with the applicable charge for evaluating bridges and other structures as provided in subdivision (h)(4); and

(ii) The cost of an annual towing permit issued pursuant to this subdivision (n)(5) shall be five hundred dollars (\$500). No annual permit shall be available for any towing movement where the combined weight of the towing vehicle and towed vehicle exceeds one hundred sixty-five thousand pounds (165,000 lbs.); provided, however, that a towing vehicle holding an annual permit may supplement that annual permit by obtaining a single trip permit allowing for the movement of additional excessive weight at the cost of twenty dollars (\$20.00) plus twelve cents (12¢) per ton-mile for all weight in excess of one hundred sixty-five thousand pounds (165,000 lbs.) together with the applicable charge for evaluating bridges and other structures as provided in subdivision (h)(4).

(6) A towing vehicle with a valid permit under subdivision (n)(5) may be authorized to undertake an emergency towing movement where the combination of the towing vehicle and the towed vehicle exceeds the height, width, or weight limits established in subdivision (n)(5) if the department of transportation, the department of safety, or a local traffic law enforcement agency requests the assistance of the towing vehicle to remove a wrecked, disabled, or abandoned vehicle from the highway. In such case, the wrecked, disabled, or abandoned vehicle shall be towed only to the nearest rest area, weigh station, truck parking area, or other safe location away from the highway traffic lanes and shoulders as designated by the agency requesting the assistance. The department of transportation may require a bridge evaluation pursuant to subdivision (h)(4) and may impose route restrictions based on the condition of the roadway and bridges.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Keisling moved that **House Bill No. 812**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	84
Noes .....	0

**FRIDAY, MAY 5, 2017 -- THIRTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 84

A motion to reconsider was tabled.

**House Bill No. 1076** -- Emergency Communications Districts - As introduced, authorizes purchase of insurance to protect against breach of duty by emergency communications officials and employees in lieu of surety bond. - Amends TCA Title 7 and Title 8. by \*Sexton J, \*Byrd, \*Lamberth. (\*SB970 by \*Niceley)

On motion, House Bill No. 1076 was made to conform with **Senate Bill No. 970**; the Senate Bill was substituted for the House Bill.

Rep. J. Sexton moved that Senate Bill No. 970 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. J. Sexton moved that **Senate Bill No. 970** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 84  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 84

A motion to reconsider was tabled.

**\*House Bill No. 1126** -- Child Custody and Support - As introduced, specifies that in child support actions filed on or after July 1, 2017, the court cannot order the payment of retroactive support for more than five years unless the court finds the obligor deliberately avoided service or impeded the imposition of the child support obligations. - Amends TCA Title 36. by \*Parkinson. (SB993 by \*Lundberg, \*Harris)

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**FRIDAY, MAY 5, 2017 -- THIRTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

On motion, House Bill No. 1126 was made to conform with **Senate Bill No. 993**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 993 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed by the following vote:

Ayes ..... 64  
Noes..... 13

Representatives voting aye were: Alexander, Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Cooper, Curcio, Daniel, Doss, Eldridge, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Parkinson, Pody, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Shaw, Sherrell, Smith, Staples, Swann, Tillis, Travis, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary -- 64

Representatives voting no were: Clemmons, DeBerry, Fitzhugh, Gilmore, Jones, Mitchell, Powell, Sanderson, Sexton J., Sparks, Stewart, Thompson, Van Huss -- 13

Rep. Parkinson moved that **Senate Bill No. 993** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 71  
Noes..... 5  
Present and not voting..... 1

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Parkinson, Pody, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary -- 71

Representatives voting no were: Clemmons, Hazlewood, Jones, Stewart, Thompson -- 5

Representatives present and not voting were: Powell -- 1

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Dunn

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 992** -- Election Laws - As introduced, requires election officials to examine documents and petitions before accepting them for filing to ensure all required information is provided properly and filing deadlines are met; presumes that documents and petitions accepted for filing have met all requirements for filing. - Amends TCA Title 2 and Title 49. by \*Wirgau. (\*SB580 by \*Gresham)

Rep. Wirgau moved that House Bill No. 992 be passed on third and final consideration.

Rep. Carr moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved adoption of Local Government Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 992 by adding the following new section immediately preceding the last section and redesignating the last section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 2-10-212(a)(2), is amended by designating the existing language as subdivision (a)(2)(A) and adding the following language as a new subdivision (a)(2)(B):

(B) The registry shall audit the campaign account of any member of the general assembly that spends from such account one hundred seventy-five thousand dollars (\$175,000) or more during an election cycle, as applicable to the member, on expenditures other than contributions to political campaign committees or other candidates; and

Rep. Carr moved to withdraw the motion to adopt Local Government Committee Amendment No. 2, which motion prevailed.

Rep. Carr moved that Local Government Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, as follows:

**Amendment No. 3**

AMEND House Bill No. 992 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-10-212(a)(2), is amended by deleting the subdivision and substituting instead the following:

(2) Each candidate for the general assembly and such candidate's committees shall be subject to an audit by the registry on a random selection of districts in an election. Districts shall be randomly drawn until a total of approximately four percent (4%) of all candidates for the general assembly have been selected. Notwithstanding any law to the contrary, for any audit conducted by the registry under this subdivision (a)(2), the registry shall only conduct the audit for the immediately preceding election cycle and shall not require the production or disclosure of, or consider for purposes of the audit, any information or documents relating to any other election cycle; and

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, was adopted.

Rep. Carr moved the previous question, which motion prevailed.

Rep. Wirgau moved that **House Bill No. 992**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 79  
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Swann, Thompson, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 79

Representatives voting no were: Lamberth, McCormick -- 2

A motion to reconsider was tabled.

**House Bill No. 1320** -- Health Care - As introduced, enacts the "Long-Acting Birth Control Information Act." - Amends TCA Title 8; Title 63; Title 68 and Title 71. by \*Stewart. (\*SB883 by \*Harris)

Rep. Stewart moved that House Bill No. 1320 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

1855

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 1320 by deleting the preamble of the bill in its entirety and substituting instead the following:

WHEREAS, half of all pregnancies in the United States each year are unintended; and

WHEREAS, a broad range of acceptable and effective contraceptives can reduce the chance of unintended pregnancy; and

WHEREAS, a client-centered approach affords women the opportunity to select the contraceptive method that is most appropriate based on her personal preferences and medical needs; and

WHEREAS, Voluntary Reversible Long-Acting Contraception (VRLAC), also known as Long-Acting Reversible Contraceptives (LARCs), are extremely effective at preventing pregnancy, are extremely safe, and can provide protection for up to ten years; and

WHEREAS, according to the Centers for Disease Control and Prevention, only about seven percent of women aged fifteen to forty-four currently use VRLACs or LARCs; and

WHEREAS, in Colorado, where there has been a program to make VRLACs or LARCs more widely accessible, the state reported a forty-eight percent decline in birthrates among teens and a forty-eight percent decline in teen abortions; and

WHEREAS, high upfront costs, a lack of adequate training for healthcare professionals, administrative barriers, and insufficient information and education have made VRLACs or LARCs more difficult to access than other forms of birth control; and

WHEREAS, this law is enacted to protect the health, safety, and welfare of women and families by making VRLACs or LARCs more accessible; now, therefore,

**AND FURTHER AMEND** by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Family planning centers" means health clinics that receive funding under the Title X program overseen by the U.S. department of health and human services, Pub. L. 91-572, as well as other health clinics that the commissioner of health finds are qualified and willing to perform comprehensive family planning services; and

(2) "Voluntary reversible long-acting contraception" or "VRLACs," also known as "long-acting reversible contraceptives" or "LARCs," means



highly effective methods of contraception that last for several years and are easy to use. VRLACs include, but are not limited to, intrauterine contraceptives and birth control implants.

(b)

(1) The department of health shall administer a program to improve access to VRLACs for women.

(2) The program shall include:

(A) Training for family planning centers regarding contraceptive methods, including VRLACs, client-centered and non-coercive counseling strategies, and managing side effects;

(B) Training for all public health facilities to ensure that they are qualified and able to provide forms of contraception, including VRLACs;

(C) Assistance to family planning centers regarding administrative or technical issues such as coding, billing, pharmacy rules, and clinic management related to the provision of forms of contraception, including VRLACs and other methods;

(D) General financial support to expand the capacity of family planning centers to provide VRLACs, to train and staff providers, and to keep supplies in stock and available for same-day access by patients;

(E) Education and outreach to the public about the availability, effectiveness, and safety of contraception including VRLAC;

(F) A study of making as many contraceptive methods as possible available both over-the-counter and directly through pharmacies, as California and Oregon have done; and

(G) Other services the commissioner of health deems necessary to improve access to comprehensive family planning options.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1320 by deleting subdivisions (b)(2)(F) and (G) from Section 2, as amended, and substituting instead the following:

(F) Education and outreach to the public to inform women about alternatives to abortion, including adoption services, and the numerous public and private agencies and services that are available to assist women during pregnancy and after the birth of the child;

(G) A study of making as many contraceptive methods as possible available both over-the-counter and directly through pharmacies, as California and Oregon have done; and

(H) Other services the commissioner of health deems necessary to improve access to comprehensive family planning options.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Stewart moved that **House Bill No. 1320**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	75
Noes.....	3

Representatives voting aye were: Akbari, Alexander, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 75

Representatives voting no were: Doss, Holt, Rudd -- 3

A motion to reconsider was tabled.

**House Bill No. 1322** -- Municipal Government - As introduced, allows municipal administrative officers to, in lieu of levying a fine, order a violator of a municipal ordinance to attend an educational course that addresses compliance with locally adopted building and property maintenance ordinances. - Amends TCA Title 6, Chapter 54, Part 10. by \*Stewart. (\*SB1136 by \*Kyle)

Rep. Stewart moved that House Bill No. 1322 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 1322 by deleting all language after the enacting clause and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 6-54-1001, is amended by deleting subsection (e) and substituting the following:

(e) For purposes of this part, "municipality" means any incorporated town or city, or metropolitan form of government.

SECTION 2. Tennessee Code Annotated, Section 6-54-1002(a), is amended by deleting the word "and" at the end of subdivision (8), deleting subdivision (9), and adding the following new subdivisions:

(9) Locally adopted zoning codes; and

(10) Ordinances regulating any subject matter commonly found in the codes mentioned in subdivisions (a)(1)-(9).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Stewart moved that **House Bill No. 1322**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 81  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

A motion to reconsider was tabled.

**\*House Bill No. 102** -- Special License Plates - As introduced, extends from March 1 to March 15 the date by which the commissioner of revenue, or the commissioner's designee, has to appear before the transportation committee of the house of representatives and the transportation and safety committee of the senate to annually report the status of the computerized titling and registration system. - Amends TCA Title 55. by \*Doss, \*Brooks K, \*McCormick, \*Lynn, \*Carter. (SB317 by \*Bailey)

On motion, House Bill No. 102 was made to conform with **Senate Bill No. 317**; the Senate Bill was substituted for the House Bill.

Rep. Doss moved that Senate Bill No. 317 be passed on third and final consideration.

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Rep. Rogers moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Doss moved that **Senate Bill No. 317** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 80  
Noes..... 1

Representatives voting aye were: Akbari, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 80

Representatives voting no were: Alexander -- 1

A motion to reconsider was tabled.

**\*House Bill No. 103** -- Highways, Roads and Bridges - As introduced, increases from 10 to 30 days, the time in which a recipient of a second notice from the department of transportation has to confirm being the owner of utility facilities and to describe the type of utility service, and description and location of each facility; increases from 10 to 30 days, the time in which the owner of utility facilities has to file a reservation of rights notice to the department following the issuance of a notice to proceed by the department. - Amends TCA Title 54. by \*Doss, \*Brooks K, \*McCormick, \*Lynn. (SB318 by \*Bailey)

On motion, House Bill No. 103 was made to conform with **Senate Bill No. 318**; the Senate Bill was substituted for the House Bill.

Rep. Doss moved that Senate Bill No. 318 be passed on third and final consideration.

Rep. Rogers moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. McCormick moved adoption of Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, as follows:

**Amendment No. 3**

1860

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AMEND Senate Bill No. 318 by inserting the following new section immediately preceding the penultimate section and renumbering the subsequent sections accordingly:

SECTION \_\_\_\_.

(a) Notwithstanding any law to the contrary, the bridge (Bridge No. 92SR0890027) on State Route 89, which is located near log mile 29.09 north of the community of Palmersville in Weakley County, Tennessee, is hereby designated as the "A. Buran Austin Memorial Bridge" to honor the memory of this beloved resident of Palmersville who bravely served his country in the United States Army during World War II.

(b) The department of transportation is directed to erect suitable signs or affix suitable markers designating the bridge described in subsection (a) as the "A. Buran Austin Memorial Bridge".

(c) The erection of the signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices and within the state supplemental guidelines, as applicable.

(d) This section shall become operative only if the cost of the manufacture and installation of the signs is paid to the department of transportation from nonstate funds within one (1) year of the effective date of this act. The payment shall be made prior to any expenditure by the state for the manufacture or installation of the signs. The department shall return any unused portion of the estimated cost to the person or entity paying for the signs within thirty (30) days of the erection of the signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in the costs shall be remitted to the department in nonstate funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

On motion, Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, was adopted.

Rep. McCormick moved that Finance, Ways & Means Committee Amendment No. 3, as House Amendment No. 4, be withdrawn, which motion prevailed.

Rep. Doss moved that **Senate Bill No. 318**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 82  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick,

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McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 82

A motion to reconsider was tabled.

**House Bill No. 1075** -- Taxes - As introduced, increases from 10 to 12 the number of days following any adverse action related to a license or other privilege that the licensee must file a written request for a hearing before the commissioner to contest the action. - Amends TCA Title 67. by \*Sexton C, \*Sexton J. (\*SB969 by \*Overbey)

On motion, House Bill No. 1075 was made to conform with **Senate Bill No. 969**; the Senate Bill was substituted for the House Bill.

Rep. C. Sexton moved that **Senate Bill No. 969** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	81
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Parkinson, Pody, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

A motion to reconsider was tabled.

**\*House Bill No. 1066** -- Alcoholic Beverages - As introduced, allows Blackthorn Club in Washington County to serve and sell alcoholic beverages for consumption on premises. - Amends TCA Title 57, Chapter 4, Part 1. by \*Holsclaw. (SB1321 by \*Crowe)

On motion, House Bill No. 1066 was made to conform with **Senate Bill No. 1321**; the Senate Bill was substituted for the House Bill.

Rep. Holsclaw moved that **Senate Bill No. 1321** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	59
Noes.....	13
Present and not voting.....	8

Representatives voting aye were: Akbari, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Farmer, Fitzhugh, Forgety, Gilmore, Goins,

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Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McDaniel, Miller, Mitchell, Parkinson, Powell, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, White D., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 59

Representatives voting no were: Alexander, Byrd, Hill T., Holt, Lollar, Matlock, McCormick, Sherrell, Smith, Van Huss, Weaver, White M., Zachary -- 13

Representatives present and not voting were: Butt, DeBerry, Doss, Gant, Hill M., Pody, Rudd, Sparks -- 8

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 1321** and have this statement entered in the Journal: Rep. Weaver.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 1321** and have this statement entered in the Journal: Rep. J. Sexton.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 864** -- Traffic Safety - As introduced, increases the penalty for the offense of unlawful use of a portable electronic device while driving to a Class B misdemeanor if the violation results in an accident causing serious bodily injury and to a Class A misdemeanor if the accident results in death. - Amends TCA Title 55. by \*Holsclaw. (\*SB658 by \*Tracy)

On motion, House Bill No. 864 was made to conform with **Senate Bill No. 658**; the Senate Bill was substituted for the House Bill.

Rep. Holsclaw moved that Senate Bill No. 658 be passed on third and final consideration.

Rep. Johnson moved the previous question, which motion prevailed.

Rep. Holsclaw moved that **Senate Bill No. 658** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	25
Noes.....	49
Present and not voting.....	6

Representatives voting aye were: Alexander, Carr, Casada, Eldridge, Farmer, Fitzhugh, Goins, Hawk, Hazlewood, Hicks, Holsclaw, Johnson, Lamberth, Marsh, McDaniel, Ramsey, Sanderson, Sargent, Sexton C., Sexton J., Smith, Swann, Thompson, Whitson, Wirgau -- 25

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Representatives voting no were: Butt, Byrd, Calfee, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Forgety, Gant, Gilmore, Gravitt, Halford, Hill M., Hill T., Holt, Hulsey, Jernigan, Kane, Keisling, Kumar, Littleton, Lollar, Lynn, Matheny, Matlock, McCormick, Miller, Mitchell, Pody, Reedy, Rogers, Rudd, Shaw, Sherrell, Sparks, Staples, Stewart, Tillis, Travis, Turner, Van Huss, Weaver, White D., Williams, Zachary -- 49

Representatives present and not voting were: Camper, DeBerry, Parkinson, Powell, White M., Madam Speaker Harwell -- 6

Senate Bill No. 658, having failed to receive a constitutional majority, was thereby re-referred to the Committee on Calendar and Rules.

**\*House Bill No. 432** -- Criminal Offenses - As introduced, revises certain reckless endangerment provisions; establishes enhanced punishment for acts constituting "community terrorism." - Amends TCA Title 39, Chapter 13. by \*Hardaway, \*Rogers, \*Ramsey, \*Goins, \*Turner, \*Love, \*Lamberth, \*Stewart. (SB1278 by \*Norris)

Rep. Hardaway moved that House Bill No. 432 be reset for the Regular Calendar on May 8, 2017, which motion prevailed.

**\*House Bill No. 760** -- Arrests - As introduced, requires a law enforcement officer to issue a citation in lieu of continued custody of a person arrested for a misdemeanor violation of simple possession of a controlled substance, unless the officer determines, based on the person's previous failure to appear in court, that a reasonable likelihood exists that the arrested person will fail to appear in court. - Amends TCA Title 39, Chapter 17, Part 4 and Title 40, Chapter 7. by \*Hardaway. (SB1120 by \*Kyle)

Rep. Hardaway moved that House Bill No. 760 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 760 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-7-118, is amended by adding the following as a new subsection:

( ) Each local law enforcement agency shall adopt a policy to ensure the issuance of a citation in lieu of arrest, in compliance with subdivision (b)(1), except as otherwise provided in subsection (c), for a misdemeanor violation of simple possession of a controlled substance, as prohibited by § 39-17-418.



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SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that **House Bill No. 760**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 77  
Noes..... 2

Representatives voting aye were: Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Jernigan, Johnson, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 77

Representatives voting no were: Alexander, Kumar -- 2

A motion to reconsider was tabled.

**\*House Joint Resolution No. 37** -- Constitutional Amendments - Proposes an amendment to the Constitution of Tennessee recognizing that our liberties do not come from governments, but from Almighty God. by \*VanHuss, \*Butt, \*White M, \*Hulsey, \*Hill M, \*Keisling, \*Matlock, \*Calfee, \*Rudd, \*Rogers, \*Byrd, \*Howell, \*Sparks, \*Holt, \*Weaver, \*Sexton J, \*Goins, \*Brooks K, \*Moody, \*Zachary, \*Sherrell, \*Powers, \*Lamberth, \*Carter, \*Faison, \*Eldridge, \*Coley, \*Gant.

Further consideration of House Joint Resolution No. 37, previously considered on May 1, 2017 for its first constitutional reading and May 3, 2017 for its second constitutional reading, at which time it was reset for today's Calendar.

Rep. Van Huss moved that House Joint Resolution No. 37 be reset for the Regular Calendar on May 8, 2017, which motion prevailed.

### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE MESSAGES

**\*House Bill No. 74** -- Environment and Conservation, Department of - As introduced, removes obsolete reporting requirement concerning the status of a cooperative effort between the commissioner and owners of property located near a scenic river. - Amends TCA Title 4; Title 11 and Title 64. by \*Howell, \*Brooks K, \*Daniel. (SB466 by \*Bell, \*Gardenhire)

Rep. Williams moved that **House Bill No. 74** be reset for the the next available Message Calendar, which motion prevailed.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 99** -- Criminal Procedure - As introduced, clarifies that partial expunctions of criminal records are the removal of electronic records from relevant national, state, and local databases; adds \$5.00 to seat belt violation fines to cover court clerk costs. - Amends TCA Section 40-32-101 and Section 55-9-603. by \*Lamberth. (SB1137 by \*Stevens)

#### Senate Amendment No. 1

AMEND House Bill No. 99 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(j), is amended by deleting the subsection in its entirety and substituting the following:

A person who is ineligible for expunction of the person's records pursuant to subdivision (a)(1)(E) shall, upon petition by that person to the court having jurisdiction in the previous action, be entitled to removal of public records from electronic databases, as provided in this subsection (j), relating to the person's arrest, indictment, charging instrument, or disposition for any charges other than the offense for which the person was convicted. The public records shall be removed from the relevant electronic databases of the national crime information center system and similar state databases, and the person shall be entered into the Tennessee bureau of investigation's expunged criminal offender and pretrial diversion database with regard to the offenses removed pursuant to this subsection (j). The public records shall also be removed from any public electronic database maintained by a court clerk. Nothing in this subsection (j) shall require court clerks to expunge records relating to an offense for which the person was convicted. Court clerks shall not be liable for any errors or omissions relating to the removal and destruction of records under this section.

SECTION 2. Tennessee Code Annotated, Section 55-9-603(d), is amended by deleting the subsection and substituting instead the following language:

(1) A violation of this section is a Class C misdemeanor. All proceeds from the fines imposed by this subsection (d), except as otherwise provided by subdivisions (d)(2) and (3), shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in § 49-11-602, who have been severely injured in motor vehicle accidents.

(2)

(A) A person charged with a violation of this section may, in lieu of appearance in court, submit a fine of thirty dollars (\$30.00) for a first violation, and fifty-five dollars (\$55.00) for a second or subsequent violation to the clerk of the court that has jurisdiction of the offense within the county in which the offense charged is alleged to have been committed.

(B) The revenue generated by fifteen dollars (\$15.00) of the thirty-dollar fine in subdivision (d)(2)(A) for a person's first conviction shall be deposited in the state general fund without being designated for any specific purpose. Ten dollars (\$10.00) of the thirty-dollar fine for the person's first conviction under subdivision (d)(2)(A) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in § 49-11-602, who have been severely injured in motor vehicle accidents. The remaining five dollars (\$5.00) of the thirty-dollar fine for the person's first conviction under subdivision (d)(2)(A) shall be retained by the court clerk.

(C) The revenue generated by thirty dollars (\$30.00) of the fifty-five-dollar fine under subdivision (d)(2)(A) for a person's second or subsequent conviction shall be deposited in the state general fund without being designated for any specific purpose. Twenty dollars (\$20.00) of the fifty-five-dollar fine for the person's second or subsequent conviction under subdivision (d)(2)(A) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in § 49-11-602, who have been severely injured in motor vehicle accidents. The remaining five dollars (\$5.00) of the fifty-five-dollar fine for the person's second or subsequent conviction under subdivision (d)(2)(A) shall be retained by the court clerk.

(3)

(A) Notwithstanding subdivision (d)(2), a person charged with a violation of subsection (i) may, in lieu of appearance in court, submit a fine of thirty dollars (\$30.00) to the clerk of the court that has jurisdiction of the offense within the county in which the offense charged is alleged to have been committed.

(B) Notwithstanding subdivision (d)(2), the revenue generated by fifteen dollars (\$15.00) of the thirty-dollar fine under subdivision (d)(3)(A) for a person's first conviction under subsection (i) shall be deposited in the state general fund without being designated for any specific purpose. Ten dollars (\$10.00) of the thirty-dollar fine for the person's first conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in § 49-11-602, who have been severely injured in motor vehicle accidents. The

remaining five dollars (\$5.00) of the thirty-dollar fine for the person's first conviction under subsection (i) shall be retained by the court clerk.

(C) The revenue generated by five dollars (\$5.00) of the thirty-dollar fine under subdivision (d)(3)(A) for a person's second or subsequent conviction under subsection (i) shall be deposited in the state general fund without being designated for any specific purpose. Twenty dollars (\$20.00) of the thirty-dollar fine for the person's second or subsequent conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in § 49-11-602, who have been severely injured in motor vehicle accidents. The remaining five dollars (\$5.00) of the thirty-dollar fine for the person's second or subsequent conviction under subsection (i) shall be retained by the court clerk.

SECTION 3. Tennessee Code Annotated, Section 55-9-603(e), is amended by deleting the language "No clerk's fee nor court costs" and substituting instead the language "Except as otherwise provided by subdivisions (d)(2) and (3), no clerk's fee nor court costs".

SECTION 4. This act shall take effect July 1, 2017, the public welfare requiring it.

Rep. Lamberth moved that the House concur in Senate Amendment No. 1 to **House Bill No. 99**, which motion prevailed by the following vote:

Ayes .....	77
Noes .....	4

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Holt, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 77

Representatives voting no were: Crawford, Hill M., Hill T., Van Huss -- 4

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 99** and have this statement entered in the Journal: Rep. Byrd.

**MESSAGE CALENDAR, CONTINUED**

**HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 671** -- Election Laws - As introduced, authorizes certain members of a board of public utilities to serve as a member of a county election commission; prescribes the process for certifying new voting systems for use in this state. - Amends TCA Section 2-1-112 and Section 2-9-117. by \*Carr . (SB925 by \*Ketron, \*Yager)

Rep. Carr moved that the Report of the Conference Committee on House Bill No. 671 be adopted and made the action of the house

**CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL NO. 671**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 671 (Senate Bill No. 975) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-9-117, is amended by designating the existing language as subsection (a) and adding the following new subsection (b):

(b) The state coordinator of elections and the state election commission shall certify each voting system for purchase and use in the state. In determining whether a voting system may be certified, the state coordinator of elections and the state election commission shall consider, at a minimum, the following:

(1) Whether any new voting system has been certified by the election assistance commission;

(2) The history of ethical conduct in the sales of the voting system by the manufacturer or seller;

(3) The ability of the manufacturer or seller of the voting system to provide adequate professional assistance and service to the counties of this state; and

(4) The performance of the voting system in an election of a substantial size in another state or in an approved jurisdiction within this state. The voting system must be viewed by at least two (2) state election commissioners of opposite political parties and the coordinator of elections, or the coordinator's designee. The jurisdiction where the voting system is viewed must be agreed upon by a majority of the members on the state election commission.

SECTION 2. Tennessee Code Annotated, Section 2-1-112(a), is amended by adding the following new subdivision:

(4) A former administrator of elections appointed pursuant to § 2-12-116 shall not serve as a member of the appointing county election commission.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Ketron

/s/ Representative Carr

/s/ Senator Tate

/s/ Representative Pody

/s/ Senator Beavers

/s/ Representative Cooper

Rep. Carr moved that the Conference Committee Report on House Bill No. 671 be referred back to the Conference Committee.

After further discussion, Rep. Carr moved to withdraw the Conference Committee Report to House Bill No. 671 from the House, which motion prevailed.

### **HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 752** -- Orders of Protection - As introduced, permits a person who is granted an order of protection and who is not otherwise prohibited from purchasing, possessing, or transporting a firearm to carry a handgun for 60 days after the initial order of protection is issued. - Amends TCA Title 36, Chapter 3, Part 6 and Title 39, Chapter 17, Part 13. by \*Goins, \*Moody, \*White D, \*Littleton, \*Weaver, \*Rogers, \*Hazlewood, \*Butt, \*Harwell, \*Lynn, \*Hardaway, \*Terry, \*Gant, \*Carter. (SB983 by \*Gresham, \*Stevens, \*Bowling, \*Massey)

Rep. Goins moved that the Report of the Conference Committee on House Bill No. 752 be adopted and made the action of the house

### **CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 752**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 752 (Senate Bill No. 983) has met and recommends that the following amendments be deleted: Senate Amendment #1 (drafting code 4700).

The Committee further recommends that the following amendment be adopted:

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by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following new section:

36-3-626.

(a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to this part is authorized to, for twenty-one (21) calendar days after that order of protection is granted, carry any handgun, as defined in § 39-17-1319, that the person legally owns or possesses so long as the person has in the person's possession at all times while carrying the handgun a copy of the order of protection.

(b) A person who does not apply for a temporary handgun carry permit under § 39-17-1365 within the time period set forth in § 39-17-1365(a) shall not be authorized to carry a handgun under subsection (a) once that time period has expired.

(c) A person who has applied for a temporary handgun carry permit under § 39-17-1365 may continue to carry a handgun after the time period in this subsection (a) has expired while that application is pending, so long as the person has in the person's possession at all times while carrying the handgun both a copy of the temporary handgun carry permit application receipt as provided by the department and a copy of the order of protection.

SECTION 2. Tennessee Code Annotated, Section 39-17-1308(a), is amended by adding the following as a new subdivision:

( ) By a person authorized to carry a handgun pursuant to § 36-3-626 or § 39-17-1365;

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following new section:

39-17-1365.

(a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to title 36, chapter 3, part 6, may apply for a temporary handgun carry permit from the department of safety within twenty-one (21) calendar days after that order of protection is granted.

(b) To be eligible to receive a temporary handgun carry permit, the person must:

(1) Apply in person to the department of safety on a temporary handgun carry permit application developed by the department;

(2) Include a certified copy of the order of protection with the application;

(3) Provide proof of the person's identity and Tennessee residency by presenting:

(A) A driver license or photo identification issued by the state of Tennessee; or

(B) Other proof satisfactory to the department showing the person's identity and residency; and

(4) Meet the qualifications for the issuance of a handgun carry permit under § 39-17-1351(c).

(c) The department of safety shall conduct a name-based criminal history check in the same manner as set forth in § 39-17-1351(n)(3) upon receiving an application for a temporary handgun carry permit under this section.

(d) If an applicant meets all the requirements of this section, the department of safety shall issue a temporary handgun carry permit to the applicant that shall be valid for sixty (60) calendar days from the date of issuance.

(e) A person issued a temporary handgun carry permit under this section shall carry that permit and a copy of the protective order at all times when carrying a handgun pursuant to this section.

(f) A temporary handgun carry permit issued under this section shall only be valid in Tennessee and shall not be considered as satisfying the requirements of reciprocity with any other state firearm carry provisions.

(g) A temporary handgun carry permit issued under this section may be issued as a letter to the applicant and may be issued without the applicant's photograph.

(h) The issuance of a temporary handgun carry permit under this section does not relieve a person from complying with all requirements of § 39-17-1351 in order to be issued a handgun carry permit pursuant to that section.

(i) A temporary handgun carry permit issued under this section is subject to the provisions of §§ 39-17-1352 - 39-17-1359.

SECTION 4. For the purpose of initiating the process of implementing the requirements of this act, including any programming changes, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of implementing the requirements of this act, this act shall take effect thirty (30) days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is



capable of implementing the new requirements of this act or on January 1, 2018, whichever is earlier, the public welfare requiring it. The commissioner shall cause such notification to be published on the website of the department contemporaneously with delivery to the secretary of state and executive secretary of the Tennessee code commission.

/s/ Senator Dolores Gresham

/s/ Representative Tilman Goins

/s/ Senator Janice Bowling

/s/ Representative Mike Carter

/s/ Senator John Stevens

/s/ Representative G.A. Hardaway

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Goins moved that the Report of the Conference Committee on **House Bill No. 752** be adopted and made the action of the house, which motion prevailed by the following vote:

Ayes .....	78
Noes.....	0

Representatives voting aye were: Alexander, Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 78

A motion to reconsider was tabled.

#### **HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 1164** -- Agriculture - As introduced, requires that industrial hemp license and permit fees be calculated in the same manner as other fees for programs administered by the department of agriculture pursuant to the tiered fee structure established under the Tennessee agricultural regulatory fund laws. - Amends TCA Title 43, Chapter 1, Part 7; Section 43-26-102 and Section 43-26-103. by \*Reedy, \*McDaniel, \*Marsh, \*Faison. (\*SB968 by \*Niceley)

#### **Senate Amendment No. 4**

AMEND House Bill No. 1164 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 43-26-102(4), is amended by deleting the subdivision in its entirety and substituting instead the following:

(4) "Industrial hemp":

(A) Means the plants, plant parts, or whole plant extract, whether in manufacturing process or reconstituted, of the genera cannabis that do not contain a delta-9 tetrahydrocannabinol (THC) concentration more than three-tenths of one percent (0.3%) on a dry mass basis and that are grown:

(i) From seed or propagules from seed certified by a certifying agency, as defined in § 43-10-103;

(ii) From seed or propagules derived from landrace varieties of industrial hemp; or

(iii) By an institution of higher education in this state that offers a baccalaureate or post-graduate level program of study in agricultural sciences; and

(B) Includes any industrial hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC) in a topical or ingestible consumer product.

SECTION 2. Tennessee Code Annotated, Section 43-26-103, is amended by deleting subsections (b) and (c) in their entireties and substituting instead the following:

(b) Any person who grows or processes industrial hemp in this state must obtain an annual license from the department of agriculture. In order to obtain and maintain an industrial hemp license, the grower or processor must consent to reasonable inspection by the department of agriculture of the person's industrial hemp crop and inventory.

(c) Viable industrial hemp in the possession or control of a person licensed by the department as a grower or processor shall not be considered marijuana under § 39-17- 415. Non-viable industrial hemp or any product made from non-viable industrial hemp procured through a grower or processor licensed by the department, or otherwise procured in accordance with the department's rules, shall not be considered marijuana under § 39-17-415.

(d) The department of agriculture shall register landrace varieties of industrial hemp for the purpose of providing notice to licensed growers and processors of which landrace varieties of hemp are industrial hemp.

(e) The department of agriculture shall promulgate rules, including rules establishing reasonable fees for industrial hemp licenses, necessary to implement and administer an industrial hemp program in this state on an ongoing basis. All revenue collected from fees established pursuant to this subsection (e) shall be used exclusively for administration of the industrial hemp program and regulation of industrial hemp.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

## FRIDAY, MAY 5, 2017 -- THIRTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Reedy moved that the House concur in Senate Amendment No. 4 to **House Bill No. 1164**, which motion prevailed by the following vote:

Ayes .....	75
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 75

Representatives present and not voting were: DeBerry, Lollar, White M. -- 3

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the motion to concur in Senate Amendment No. 4 to **House Bill No. 1164** and have this statement entered in the Journal: Rep. Stewart.

### MESSAGE CALENDAR, CONTINUED

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1288** -- Wine & Wineries - As introduced, requires importers of wine to file monthly reports with the department of revenue containing certain shipment information; provides for the availability and preservation of reports and related records; subjects such importers to sanctions for failure to comply with reporting requirements. - Amends TCA Section 57-3-217. by \*Sanderson. (\*SB702 by \*Yager)

Rep. Sanderson moved that the House non-concur in Senate Amendment No. 1 to House Bill No. 1288, which motion prevailed.

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1289** -- Alcoholic Beverages - As introduced, authorizes The Avenue Diner in Nashville to sell alcoholic beverages for on-premises consumption; prohibits such establishment from selling or giving away alcoholic beverages or beer only between the hours of 3:00 a.m. and 4:00 a.m. - Amends TCA Title 57, Chapter 4. by \*Sanderson, \*Ramsey, \*Jernigan, \*Littleton, \*Beck. (\*SB705 by \*Harper, \*Dickerson)

#### Senate Amendment No. 1

1875

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AMEND House Bill No. 1289 by adding the following as a new section immediately preceding the effective date section and redesignating the effective date section accordingly:

SECTION \_\_. Tennessee Code Annotated, Title 57, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding any law or rule to the contrary, a manufacturer licensed under § 57-3-202 may have a direct or indirect interest in any establishment licensed pursuant to this part; provided that such interest is held in an irrevocable trust by an independent trustee.

(b) This section is deleted on July 1, 2019, and shall no longer be effective on and after such date.

Rep. Sanderson moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1289**, which motion prevailed by the following vote:

Ayes .....	60
Noes.....	9
Present and not voting.....	9

Representatives voting aye were: Akbari, Butt, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Fitzhugh, Forgety, Gant, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Marsh, McDaniel, Miller, Mitchell, Parkinson, Powell, Ramsey, Reedy, Sanderson, Sexton C., Shaw, Sherrell, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Weaver, White D., White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 60

Representatives voting no were: Doss, Hill M., Holt, Keisling, Matlock, Sexton J., Smith, Van Huss, Zachary -- 9

Representatives present and not voting were: Alexander, Byrd, DeBerry, Lollar, Lynn, McCormick, Pody, Rudd, Sparks -- 9

A motion to reconsider was tabled.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 37** Rep. Kane as prime sponsor.

**House Bill No. 337** Rep. Sanderson as prime sponsor.

**House Bill No. 521** Rep. Sanderson as prime sponsor.

**House Bill No. 864** Rep. Hardaway as prime sponsor.

**House Bill No. 980** Rep. Travis as First prime sponsor.

**House Bill No. 1062** Rep. McCormick as prime sponsor.

**House Bill No. 1209** Reps. Akbari, Camper, Towns, Staples, Hardaway, Clemmons, Stewart and Powell as prime sponsors.

**MESSAGE FROM THE SENATE  
May 5, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 451, 452, 453, 454, 455, 456, 457, 460, 461, 462, 463, 464 and 465; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR  
May 5, 2017**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 39, 63, 141, 310, 344, 348, 393, 404, 425, 439, 473, 560, 768, 873, 934, 993, 1049, 1111, 1431, 1432, 1433 and 1440; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**SIGNED  
May 5, 2017**

The Speaker announced that she had signed the following: House Bills Nos. 174, 628, 664, 862, 1021, 1291, 1424, 1426, 1436, 1443, 1445, 1446 and 1452.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
May 5, 2017**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 556, 557 and 558.

GREG GLASS, Chief Engrossing Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 81

## **FRIDAY, MAY 5, 2017 -- THIRTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives present were Akbari, Alexander, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

### **RECESS**

On motion of Rep. Casada, the House stood in recess until 5:00 p.m., Monday, May 8, 2017.